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LEGISLATIVE HISTORY

Public Law 382--80th Congress

Chapter 513--1st Session

H. R. 3022

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DIGEST OF PUBLIC LAW 382

MINERALS; LANDS. Extends the basic provisions of the mineral leasing law to the mining of coal, phosphate, sodium, potassium, oil, oil shale, and gas and sulfur on lands acquired by the U. S., and places the responsibility for administering these provisions in the Secretary of Interior; transfers to Interior Department jurisdiction over minerals in certain acquired lands not included in Reorganization Plan 3 of 1946; provides that no mineral deposits shall be leased without the consent of the head of the agency having jurisdiction over the lands containing the deposits and subject to such conditions as that official may prescribe to insure utilization of the lands consistent with the purposes for which they were acquired; prescribed that receipts from leases shall be paid into the same funds or accounts in the Treasury and distributed in the same manner as prescribed for other receipts from the lands affected by the lease; provides that oil and gas leases on lands not proved a part of a producing oil and gas structure will be issued to the first qualified applicant upon payment of a nominal filing fee; and directs the heads of Government agencies having jurisdiction over the lands affected to furnish the Interior Department complete descriptions, abstracts, titles, and other pertinent data on such lands.

INDEX AND SUMMARY OF HISTORY ON H. R. 3022

April 9, 1947	S. 1081 was introduced by Senator Robertson and was referred to the Senate Committee on Public Lands. Print of the bill as introduced. (Companion bill).
April 10, 1947	H. R. 3022 was introduced by Rep. Barrett and was referred to the House Committee on Public Lands. Print of the bill as introduced.
May 12, 1947	Senate Committee reported S. 1081 with amendments. Senate Report 161. Print of the bill as reported.
May 22, 1947	S. 1081 was discussed in the Senate and was passed over.
June 9, 1947	House Committee reported H. R. 3022 with amendments. House Report 550. Print of the bill as reported.
July 7, 1947	H. R. 3022 was discussed in the House and passed over.
July 21, 1947	H. R. 3022 was stricken from the Consent Calendar of the House on three objections.
July 23, 1947	H. R. 3022 was debated in the House and passed with amendments. S. 1081 was debated in the Senate and passed as reported.
July 24, 1947	H. R. 3022 was debated in the Senate and passed with an amendment. S. 1081 was indefinitely postponed in lieu of the passage of H. R. 3022. The House concurred in the Senate amendment.
August 7, 1947	Approved. Public Law 382.

80TH CONGRESS
1ST SESSION

S. 1081

IN THE SENATE OF THE UNITED STATES

APRIL 9 (legislative day, MARCH 24), 1947

Mr. ROBERTSON of Wyoming introduced the following bill; which was read twice and referred to the Committee on Public Lands

A BILL

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Mineral Leasing Act
4 for Acquired Lands".

5 SEC. 2. As used in this Act, "United States" includes
6 Alaska; "acquired lands" or "lands acquired by the United
7 States" include all lands heretofore or hereafter acquired by
8 the United States to which the mineral leasing laws have
9 not been extended; "Secretary" means the Secretary of the
10 Interior; "mineral leasing laws" shall mean the Act of

1 October 20, 1914 (38 Stat. 741; 48 U. S. C., sec. 432);
2 the Act of February 25, 1920 (41 Stat. 437; U. S. C.,
3 sec. 181); the Act of April 17, 1926 (44 Stat. 301; 30
4 U. S. C., sec. 271); the Act of February 7, 1927 (44
5 Stat. 1057; 30 U. S. C., sec. 281), and all Acts hereto-
6 fore or hereafter enacted which are amendatory of or
7 supplementary to any of the foregoing Acts.

8 SEC. 3. All deposits of coal, phosphate, oil, oil shale;
9 gas, sodium, potassium, and sulfur which are owned or
10 acquired by the United States and which are within the
11 lands acquired by the United States, exclusive of such
12 deposits in such acquired lands as are situated within incor-
13 porated cities, towns, and villages, national parks or monu-
14 ments, or set apart for military or naval purposes, may
15 be leased by the Secretary under the same conditions as
16 contained in the leasing provisions of the mineral leasing
17 laws, subject to the provisions hereof. The provisions of
18 the Act of April 17, 1926 (44 Stat. 301), as heretofore
19 or hereafter amended, shall apply to deposits of sulfur
20 covered by this Act wherever situated. No mineral deposit
21 covered by this section shall be leased except with the
22 consent of the head of the executive department, inde-
23 pendent establishment, or instrumentality having jurisdic-
24 tion over the lands containing such deposit, or holding a
25 mortgage or deed of trust secured by such lands which

1 is unsatisfied of record, and subject to such conditions as
2 that official may prescribe to insure the adequate utilization
3 of the lands for the primary purposes for which they
4 have been acquired or are being administered.

5 SEC. 4. Nothing herein contained shall be deemed or
6 construed to (a) amend, modify, or change any existing
7 law authorizing or requiring the sale of acquired lands,
8 or (b) empower any commission, bureau, or agency of
9 the Government to make a reservation of the minerals
10 in the sale of any acquired land: *Provided*, That any such
11 sale or conveyance of lands shall be made by the agency
12 having jurisdiction thereof, subject to any lease theretofore
13 made, covering the mineral deposits underlying such lands.

14 SEC. 5. Where the United States does not own all of
15 the mineral deposits under any lands sought to be leased and
16 which are affected by this Act, the Secretary is authorized
17 to lease the interest of the United States in any such mineral
18 deposits when, in the judgment of the Secretary, the public
19 interest will be best served thereby; subject, however, to the
20 provisions of section 3 hereof. Where the United States does
21 not own any interest or owns less than a full interest in the
22 minerals that may be produced from any lands sought to be
23 leased, and which are or will be affected by this Act and
24 where, under the provisions of its acquisition, the United
25 States is to acquire all or any part of such mineral deposits

1 in the future, the Secretary may lease any interest of the
2 United States then owned or to be acquired in the future in
3 the same manner as provided in the preceding sentence.

4 SEC. 6. All receipts derived from leases issued under the
5 authority of this Act shall be paid into the same funds or
6 accounts in the Treasury and shall be distributed in the same
7 manner as prescribed for other receipts from the lands af-
8 fected by the lease, the intention of this provision being that
9 this Act shall not affect the distribution of receipts pursuant
10 to legislation applicable to such lands.

11 SEC. 7. Upon request by the Secretary, the heads of all
12 executive departments, independent establishments, or instru-
13 mentalities having jurisdiction over any of the lands referred
14 to in section 2 of this Act shall furnish to the Secretary the
15 legal description of all of such lands, shall furnish to him
16 all pertinent abstracts, title papers, and other documents in
17 the possession of such agencies concerning the status of the
18 title of the United States to the mineral deposits that may be
19 found in such lands.

20 Abstracts, title papers, and other documents furnished
21 to the Secretary under this section shall be recorded promptly
22 in the Bureau of Land Management in such form as the
23 Secretary shall deem adequate for their preservation and use
24 in the administration of this Act, whereupon the originals
25 shall be returned promptly to the agency from which they

1 were received. Duly authenticated copies of any such ab-
2 stracts, title papers, or other documents may, however, be
3 furnished to the Secretary, in lieu of the originals, in the
4 discretion of the agency concerned.

5 SEC. 8. Nothing contained in this Act shall be con-
6 strued to affect the rights of the State or other local
7 authorities to exercise any right which they may have
8 with respect to properties covered by leases issued under this
9 Act, including the right to levy and collect taxes upon im-
10 provements, output of mines, or other rights, property, or
11 assets of any lessee of the United States.

12 SEC. 9. Nothing in this Act shall affect any rights
13 acquired by any lessee of lands subject to this Act under
14 the law as it existed prior to the effective date of this Act,
15 and such rights shall be governed by the law in effect at
16 the time of its acquisition; but any person qualified to hold
17 a lease and who has filed an application for lease of such
18 lands, and whose application was pending on March 1, 1947,
19 shall be entitled to a preference right over others to a lease
20 of such lands under the provisions hereof. Any person hold-
21 ing a lease on lands subject hereto, which lease was issued
22 prior to the effective date of this Act, shall be entitled to
23 exchange such lease for a new lease issued under the pro-
24 visions of this Act, at any time prior to the expiration of
25 such existing lease.

1 SEC. 10. The Secretary of the Interior is authorized to
2 prescribe such rules and regulations as are necessary and
3 appropriate to carry out the purposes of this Act, which rules
4 and regulations shall be the same as those prescribed under
5 the mineral leasing laws.

A BILL

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

By Mr. ROBERTSON of Wyoming

APRIL 9 (legislative day, MARCH 24), 1947

Read twice and referred to the Committee on
Public Lands

80TH CONGRESS
1ST SESSION

H. R. 3022

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1947

Mr. BARRETT introduced the following bill; which was referred to the Committee on Public Lands

A BILL

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Mineral Leasing Act for
4 Acquired Lands".

5 SEC. 2. As used in this Act "United States" includes
6 Alaska. "Acquired lands" or "lands acquired by the United
7 States" include all lands heretofore or hereafter acquired by
8 the United States to which the "mineral leasing laws" have
9 not been extended, including such lands acquired under the
10 provisions of the Act of March 1, 1911 (36 Stat. 961, 16

1 U. S. C., sec. 552). "Secretary" means the Secretary of
2 the Interior. "Mineral leasing laws" shall mean the Act
3 of October 20, 1914 (38 Stat. 741, 48 U. S. C., sec. 432) ;
4 the Act of February 25, 1920 (41 Stat. 437, U. S. C.,
5 sec. 181) ; the Act of April 17, 1926 (44 Stat. 301, 30
6 U. S. C., sec. 271) ; the Act of February 7, 1927 (44 Stat.
7 1057, 30 U. S. C., sec. 281), and all Acts heretofore or
8 hereafter enacted which are amendatory of or supplementary
9 to any of the foregoing Acts.

10 SEC. 3. Except where lands have been acquired by the
11 United States for the development of the mineral deposits,
12 all deposits of coal, phosphate, oil, oil shale, gas, sodium,
13 potassium, and sulfur which are owned or may hereafter be
14 acquired by the United States and which are within the lands
15 acquired by the United States, exclusive of such deposits
16 in such acquired lands as are situated within incorporated
17 cities, towns and villages, national parks or monuments, or
18 set apart for military or naval purposes, may be disposed
19 of by the Secretary under the provisions of the mineral leas-
20 ing laws, subject to the provisions hereof. The provisions
21 of the Act of April 17, 1926 (44 Stat. 301), as heretofore
22 or hereafter amended, shall apply to deposits of sulfur cov-
23 ered by this Act wherever situated. No mineral deposit
24 covered by this section shall be leased except with the con-
25 sent of the head of the executive department, independent

1 establishment, or instrumentality having jurisdiction over the
2 lands containing such deposit, or holding a mortgage or deed
3 of trust secured by such lands which is unsatisfied of record,
4 and subject to such conditions as that official may prescribe
5 to insure the adequate utilization of the lands for the primary
6 purposes for which they have been acquired or are being
7 administered: *Provided further*, That minerals in lands set
8 apart for Indian use, including lands the jurisdiction of which
9 has been transferred to the Department of the Interior by
10 Executive order for Indian use, shall be subject to the Act
11 entitled "An Act to regulate the leasing of certain Indian
12 lands for mining purposes", approved May 11, 1938 (52
13 Stat. 347; 25 U. S. C., secs. 396a-396f) .

14 SEC. 4. Nothing herein contained shall be deemed or
15 construed to (a) amend, modify, or change any existing law
16 authorizing or requiring the sale of acquired lands, or (b)
17 empower any commission, bureau, or agency of the Gov-
18 ernment to make a reservation of the minerals in the sale
19 of any acquired land: *Provided*, That any such sale or
20 conveyance of lands shall be made by the agency having
21 jurisdiction thereof, subject to any lease theretofore made,
22 covering the mineral deposits underlying such lands.

23 SEC. 5. Where the United States does not own all of
24 the mineral deposits under any lands sought to be leased
25 and which are affected by this Act, the Secretary is author-

1 ized to lease the interest of the United States in any such
2 mineral deposits when, in the judgment of the Secretary,
3 the public interest will be best served thereby; subject,
4 however, to the provisions of section 3 hereof. Where the
5 United States does not own any interest or owns less than
6 a full interest in the minerals that may be produced from
7 any lands sought to be leased, and which are or will be
8 affected by this Act and where, under the provisions of its
9 acquisition, the United States is to acquire all or any part
10 of such mineral deposits in the future, the Secretary may
11 lease any interest of the United States then owned or to
12 be acquired in the future in the same manner as provided
13 in the preceding sentence.

14 SEC. 6. All receipts derived from leases issued under the
15 authority of this Act shall be paid into the same funds or
16 accounts in the Treasury and shall be distributed in the same
17 manner as prescribed for other receipts from the lands affected
18 by the lease, the intention of this provision being that this
19 Act shall not affect the distribution of receipts pursuant to
20 legislation applicable to such lands: *Provided, however,* That
21 receipts from leases or permits for minerals in lands set apart
22 for Indian use, including lands the jurisdiction of which has
23 been transferred to the Department of the Interior by Execu-
24 tive order for Indian use, shall be disposed of in accordance

1 with the provisions of the Act of May 17, 1926 (44 Stat.
2 560, 25 U. S. C., sec. 155).

3 SEC. 7. Upon request by the Secretary, the heads of all
4 executive departments, independent establishments, or instru-
5 mentalities having jurisdiction over any of the lands referred
6 to in section 2 of this Act shall furnish to the Secretary the
7 legal description of all of such lands, shall furnish to him all
8 pertinent abstracts, title papers, and other documents in the
9 possession of such agencies concerning the status of the title
10 of the United States to the mineral deposits that may be found
11 in such lands.

12 Abstracts, title papers, and other documents furnished to
13 the Secretary under this section shall be recorded promptly
14 in the Bureau of Land Management in such form as the
15 Secretary shall deem adequate for their preservation and use
16 in the administration of this Act, whereupon the originals
17 shall be returned promptly to the agency from which they
18 were received. Duly authenticated copies of any such ab-
19 stracts, title papers, or other documents may, however, be
20 furnished to the Secretary, in lieu of the originals, in the
21 discretion of the agency concerned.

22 SEC. 8. Nothing contained in this Act shall be construed
23 to affect the rights of the State or other local authorities to
24 exercise any right which they may have with respect to

1 properties covered by leases issued under this Act, including
2 the right to levy and collect taxes upon improvements, out-
3 put of mines, or other rights, property, or assets of any
4 lessee of the United States.

5 SEC. 9. Nothing in this Act shall affect any rights ac-
6 quired by any lessee of lands subject to this Act under the
7 law as it existed prior to the effective date of this Act, and
8 such rights shall be governed by the law in effect at the time
9 of its acquisition; but any person qualified to hold a lease
10 who on March 1, 1947, had pending an application for lease
11 of any lands, not situated within the known geologic structure
12 of a producing oil or gas field, shall have a preference right
13 over others to a lease of such lands under the provisions
14 hereof. Any person holding a lease on lands subject hereto,
15 which lease was issued prior to the effective date of this
16 Act, shall be entitled to exchange such lease for a new lease
17 issued under the provisions of this Act, at any time prior to
18 the expiration of such existing lease.

19 SEC. 10. The Secretary of the Interior is authorized to
20 prescribe such rules and regulations as are necessary and
21 appropriate to carry out the purposes of this Act, which
22 rules and regulations shall be the same as those prescribed
23 under the mineral leasing laws to the extent that they
24 are applicable.

A BILL

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

By Mr. BARRETT

APRIL 10, 1947

Referred to the Committee on Public Lands

DIGEST OF CONGRESSIONAL PROCEEDINGS OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

Division of Legislative Reports
(For Department staff only)

Issued
For actions of

May 13, 1947
May 12, 1947
80th-1st, No. 89

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HIGHLIGHTS: House passed bill to regulate marketing of insecticides, rodenticides, weedkillers, etc. Rep. Murray discussed wool bill. Rep. Flannagan introduced national-fertilizer-policy bill. Rep. Cunningham introduced bill to provide "more adequate and effective farm-loan benefits" for veterans. Rep. Murray criticized USDA's handling of dairy price supports.

HOUSE

- MARKETING.** Passed as reported H. R. 1237, to regulate the marketing of insecticides, rodenticides, weed killers, etc. (pp. 5182-6).
- VETERANS' TRAINING.** Passed as reported H. R. 2181, to include "institutional on-farm training" in the education and training program for veterans (pp. 5188-90). (The Congressional Record does not make it clear that this bill was passed, but the "Daily Digest" says it was.)
- ACCOUNTING.** Passed without amendment S. 273, which provides that, effective 3 years after enactment, the monthly and quarterly account of any disbursing, accountable, or certifying officer shall be settled by GAO within 3 years from the date of receipt of the complete account by GAO, except during a war emergency (pp. 5177-8). This bill will now be sent to the President.
- ROADS.** Passed without amendment H. R. 1874, to amend the Federal-Aid Highway Act of 1944 so as to provide for extending the period of availability of the post-war highway funds from 1 year to 2 years after the close of the fiscal year for which the appropriations are authorized (pp. 5180-1).
- CODIFICATION OF LAWS.** Passed several bills to enact titles of the U. S. C. into positive law, as follows: H. R. 1565, title 1, "General Provisions"; H. R. 1566, title 4, "Flag and Seal, Seat of Government, and the States"; H. R. 1567, title 6, "Official and Penal Bonds"; H. R. 2083, title 17, "Copyrights" (pp. 5162-76).
- INVESTIGATIONS.** Agreed, without amendment, to H. Res. 93, authorizing the Public Lands Committee to investigate matters within its jurisdiction, and H. Res. 153, continuing authority for a transportation investigation by the Interstate and Foreign Commerce Committee (pp. 5190-1).

7. TOBACCO QUOTAS. On objections of Reps. Rich, Mason, and Smith of Ohio, passed over H. J. Res. 152, providing for marketing quotas on Va. sun-cured tobacco (p. 5160).
8. VETERANS' PREFERENCE. At the Request of Rep. Cole of N. Y., passed over H. R. 966, to make it mandatory for an administrative officer to take corrective action recommended by CSC in the case of appeals made by preference eligibles (p. 5187).
9. LABOR-FEDERAL SECURITY APPROPRIATION BILL. House conferees were appointed on this bill, H. R. 2700 (p. 5151). Senate conferees were appointed May 5.
10. WOOL PROGRAM. Rep. Murray, Wis., gave a list of questions and answers regarding the wool bill, S. 814 (pp. 5191-4).
11. STATION TRANSFERS. Received from the War Department proposed legislation to validate payments heretofore made by U. S. disbursing officers covering the cost of shipment of household effects of civilian employees. To Judiciary Committee. (p. 5194.)
12. LOBBYING. Received the first 1947 quarterly report listing registration of lobbyists under the Lobbying Act of 1946 (pp. 5195-239).
13. MILK PRICE SUPPORTS. Rep. Murray, Wis., criticized USDA's handling of dairy price supports (pp. 5154-5).
14. ECONOMY. Rep. Hoffman, Mich., suggested increased appropriations as a way in which to stop loans to foreign countries (p. 5155).
15. APPROPRIATIONS. Received from the President (May 9) supplemental appropriation estimates of \$16,160,000 for CSC and \$8,740,000 for FBI, to carry out the administration of the employees loyalty program in the Executive Branch (H.Doc. 242). To Appropriations Committee.

SENATE

16. FOREIGN RELIEF. Sens. Vandenberg, Capper, Wiley, Connally, and George were appointed conferees on S. 938, the Greek-Turkish aid bill (pp. 5127-8). House conferees not yet appointed.
17. LABOR. Continued debate on S. 1126, the labor-management bill (pp. 5117-27, 5128-50). During the debate Sen. Pepper, Fla., stated that "The farmer should be opposing the pending legislation" and discussed the farmer-worker relationship (p. 5122).
18. VETERANS' HOUSING. The Banking and Currency Committee reported with amendment S. 1154, to amend the Veterans' Emergency Housing Act, 1946, so as to decrease the limitation on amounts used for premium payments for increasing materials supplies for the program (S.Rept. 162) (p. 5113).
19. CLAIMS; PERSONNEL. The Judiciary Committee reported without amendment S. 1073, to extend until June 30, 1948, the time during which service of a person in an executive agency does not prohibit him from acting as counsel, etc., for prosecuting claims against the U.S. (S.Rept. 163) (p. 5113).
20. MINERAL LANDS. The Public Lands Committee reported with amendments S. 1081, to promote mining of coal, phosphate, sodium, etc. on lands acquired by the United

States (S.Rept. 161) (p. 5113).

21. **NOMINATION.** The Public Lands Committee reported favorably on the nomination of Wm. E. Warne to be Assistant Secretary of Interior Department (p. 5150).
22. **PAYMENTS IN LIEU OF TAXES.** Received a Calif. Legislature resolution urging payment to the States on U.S. lands (p. 5112).
23. **ASSISTANT SECRETARIES.** Both Houses received from Commerce Department proposed legislation to provide for an additional Assistant Secretary of Commerce (pp. 5112, 5194).
24. **APPROPRIATIONS.** Sen. Taylor, Idaho, criticized Interior Department appropriation cuts in view of revenues received from national parks and inserted a letter on the subject from the managing director of Yellowstone National Park (pp. 5116-7).
25. **INVESTIGATION.** S.Con.Res. 11 as reported (see Digest 87) establishes a joint congressional committee, from the agriculture committees, to investigate existing and pending legislation and the trends, needs, and problems of agriculture, including the effect of termination of price supports, methods of soil and forest conservation, improvements in production and marketing, etc.; requires the committee to complete its study and make a report to the two agriculture committees by Jan. 1, 1948.

BILLS INTRODUCED

26. **FERTILIZERS.** H.R. 3421, by Rep. Flannagan, Va., to provide for the establishment of a national soil-fertility policy and program. To Agriculture Committee. (p. 5195.)
27. **PRICE SUPPORTS; DAIRY INDUSTRY.** H.R. 3413, by Rep. Barrett, Wyo., to direct the Secretary of Agriculture to support the price of milk at not less than \$3.10 per hundred pounds. To Banking and Currency Committee. (p. 5194.)
28. **LANDS.** H.R. 3414, by Rep. Barrett, Wyo., to amend section 2357 of the Revised Statutes to increase the size of isolated or disconnected tracts or parcels of the public domain which may be sold. To Public Lands Committee. (p. 5194.)
29. **FARM LOANS.** H.R. 3423, by Rep. Cunningham, Iowa, to amend title III of the Servicemen's Readjustment Act pertaining to loans for the purchase or construction of homes, farms, and business property, so as to provide more adequate and effective farm-loan benefits. To Veterans' Affairs Committee. (p. 5195.)
30. **PEANUT MARKETING.** H.J. Res. 195 (see Digest 88) provides that, in view of the critical shortage of high-protein food and feeds, and fats and oils, no marketing quotas are to be proclaimed and no acreage allotments are to be established for the 1948 peanut crop.
31. **LANDS.** S. 1247 (see Digest 88) restores to USDA administrative jurisdiction over lands purchased or assigned for Indian use through the Federal Emergency Relief Administration, Resettlement Administration, and Farm Security Administration.
S. 1248 (see Digest 88) provides for covering into the Treasury by the Interior Department all moneys received as income from the above-described lands.

ITEMS IN APPENDIX

32. FARM PROGRAM. Rep. Dolliver, Iowa, inserted his statement before the House Agriculture Committee outlining a three-point permanent farm program (pp. A2361-2).
Rep. Hoeven, Iowa, inserted Carl H. Wilson's (economic analyst, Raw Materials National Council, Iowa) statement before the House Agriculture Committee outlining a permanent farm program (pp. A2369-72).
33. FERTILIZERS. Rep. Colner, Miss., inserted a Jackson (Miss.) Daily Clarion-Ledger editorial favoring the retention of fertilizer plants in Germany (p. A2362).
34. SUGAR. Rep. Woodruff, Mich., inserted a Wall Street Journal article claiming that the supply of sugar will soon be plentiful enough for the removal of controls (pp. A2345-6).
35. FARM PRICES. Rep. Stefan, Nebr., inserted an Omaha Daily Journal-Stockman editorial stating that farm prices should not be singled out as being too high without due consideration of the rise in other prices (pp. A2360).
Rep. Hope, Kans., inserted Walter H. Waggoner's N.Y. Times article, "Higher Prices of Food Stem from World Need" (p. A2375).
36. FOREIGN RELIEF. Rep. Hope, Kans., inserted Charles E. Egan's article, "All Europe Suffering from a Diet Deficiency" (pp. A2368-9).
Rep. Dondero, Mich., inserted a Washington Star article referring to Herbert Hoover's 1919 report which pointed out that the U.S. could not meet Europe's economic need without securing the maximum production in Europe itself (p. A2344).
Various remarks and insertions on Greek-Turkish aid (pp. A2338-9, A2346, A2348-9, A2352-3, A2363-4, A2366-7).
37. DAIRY INDUSTRY. Rep. Plumley, Vt., inserted a Jersey Bulletin editorial commending Elbert S. Brigham, St. Albans, Vt., on his receiving the master breeder award for the breeding of Jersey cattle (p. A2337).
38. RECLAMATION. Rep. Deane, N.C., inserted a Washington Post article criticizing the reductions in appropriations for reclamation, electrification, and other projects (pp. A2364-5).
Rep. Murdock, Ariz., inserted Secretary Krug's recent address on the history of our national reclamation-irrigation program (pp. A2373-5).
39. FLOOD CONTROL. Rep. Twyman, Ill., inserted an Ill. Legislature resolution urging the completion of flood control works on the Mississippi River (p. A2367).
40. POTATO SURPLUS. Rep. Shafer, Mich., inserted a Central Oregon Potato Growers Assoc. resolution urging a congressional investigation to determine a feasible solution for the potato surplus (p. A2376).

COMMITTEE HEARINGS Released by G.P.O.

41. SMALL BUSINESS. Pursuant to S. Res. 20, Pts. 1 and 2, investigation of newsprint shortages. Senate Small Business Committee.
S. 408, Federal Reserve assistance in financing small business. Senate Banking and Currency Committee.
42. POSTAL SERVICE. S. Res. 43, Pt. 3, increase in postal rates. Senate Civil Service Committee.
43. FISHERIES. Fish and Shellfish Problem. House Merchant Marine and Fisheries

That the Congress of the United States of America be, and it is hereby, respectfully requested to amend section 55 of the Hawaiian Organic Act by reducing the residence qualifications in divorce proceedings from 2 years next preceding the application for divorce to 1 year next preceding the application for divorce; and be it further

"Resolved, That duly authenticated copies of this concurrent resolution be forwarded to the Delegate to Congress from Hawaii, the Secretary of the Interior, and to each of the two Houses of the Congress of the United States of America."

A letter in the nature of a petition from the Society of St. Ann, Branch 37, of the First Catholic Slovak Union of the United States and Canada, New York City, N. Y., relating to the political status of Czechoslovakia; to the Committee on Foreign Relations.

A resolution adopted by Post No. 24, the American Legion, of Columbus, Ind., favoring the enactment of legislation to give veterans of World War I the same benefits, pensions, and relief as the Spanish-American War veterans are now receiving; to the Committee on Finance.

A letter in the nature of a petition from the Veterans' Action Committee, of Denison, Tex., praying for the enactment of the bill (S. 595) to provide that the rates of compensation for disabilities incurred in active military or naval service other than in a period of war service shall be equal to 90 percent of the rates payable for similar disabilities incurred during active service in time of war; to the Committee on Finance.

By Mr. MILLIKIN:

A petition signed by 23 citizens of the State of Colorado, praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic-beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. CAPPER:

A petition signed by 51 citizens of Wellington, Kans., praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic-beverage advertising in interstate commerce; to the Committee on Interstate and Foreign Commerce.

PROHIBITION AGAINST LIQUOR ADVERTISING

Mr. ROBERTSON of Virginia. Mr. President, I ask unanimous consent to present a petition signed by 250 citizens of Blacksburg, Va., praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic-beverage advertising in interstate commerce. I request that the petition be appropriately referred.

The PRESIDENT pro tempore. Without objection, the petition will be received, and referred to the Committee on Interstate and Foreign Commerce.

ECONOMY VERSUS WESTERN DEVELOPMENT—LETTER FROM MONROE SWEETLAND

Mr. O'MAHONEY. Mr. President, I ask unanimous consent to present for printing in the RECORD a letter published in the Washington Post of Friday, May 2, 1947, from Monroe Sweetland, editor of the Molalla Pioneer, Molalla, Oreg., and request that it be referred to the Committee on Appropriations.

There being no objection, the letter was received, referred to the Committee on Appropriations, and ordered to be printed in the RECORD, as follows:

ECONOMY VERSUS WESTERN DEVELOPMENT

This letter is an appeal across the country, in the hope that even yet something may be done to salvage a little from the wreckage

committed last week by the eastern Republicans. As it looks from here our Columbia River Development in Oregon, Washington, and Idaho has been set back a decade.

The Northwest cannot adequately defend itself politically, since our congressional and electoral college strength is small. Apparently GOP Chairman Reece and his man, Congressman TABER, chairman of the Appropriations Committee, have cold bloodedly decided to sacrifice the Northwest to show something for their campaign pledges to eastern finance and capital that there would be tax cuts. The letter is an appeal, over their heads, to the fair-minded people of all regions who place national interest above sectional or corporate interests.

These projects are not tax burdens. All of them are self-liquidating, and greatly increase the total national wealth by developing our unused land and waterpower and natural resources. Bonneville Dam, whose budget was cut 47 percent and whose growing usefulness was halted where it is, is repaying the Federal Treasury well ahead of schedule. If this is Republican economics, its folly will lose that party the Northwest region again in 1948, as in the last four Presidential elections, in spite of basic Republican majorities at least in Idaho and Oregon.

For months threats and indecent proposals of compromise have alternately been made to the Northwest. Most specific of these, which Secretary Krug properly rejected, was that Bonneville power rates (the lowest in the Nation) be doubled, so that eastern industry could compete with its expensive Diesel plants. This public-be-damned proposal, put forth by GOP Congressmen JONES and JENSEN on behalf of eastern industry, reflects the hostility of some elements to the rapid industrialization of this area.

And when we protested through Senator MORSE and others Chairman TABER, speaking for the Republican majority, dismissed our pleas as (according to an April 22 Associated Press dispatch widely published here) "the squeal of a stuck pig."

Already we are drawing up our battlelines to do the best we can with our limited regional strength. Through Americans for Democratic Action, and our regional Grange Farmers Union, and labor groups, we will try to see to it that Senators MORSE, TAYLOR, and MAGNUSON have solid congressional support next time. But our ultimate appeal has to be fair-minded people everywhere who view this as a national, not a sectional, problem—and with them we rest our case.

From the earliest days, when Thomas Jefferson was opposed in his request for funds for the Lewis and Clark expedition which made this region part of the United States, every step in its development has been aided by forward-looking Americans from all sections. To them we appeal for help again now, knowing that they will see in our case more than, as Chairman TABER put it, "the squeal of a stuck pig."

MONROE SWEETLAND,
Editor, Molalla Pioneer.

MOLALLA, OREG.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON of Wyoming, from the Committee on Public Lands:

S. 1081. A bill to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States; with amendments (Rept. No. 161).

By Mr. CAPEHART, from the Committee on Banking and Currency:

S. 1154. A bill to amend the Veterans' Emergency Housing Act of 1946; with an amendment (Rept. No. 162).

By Mr. MILLIKIN, from the Committee on the Judiciary:

S. 1073. A bill to extend until June 30, 1949, the period of time during which per-

sons may serve in certain executive departments and agencies without being prohibited from acting as counsel, agent, or attorney for prosecuting claims against the United States by reason of having so served; without amendment (Rept. No. 163).

FEDERAL COURTHOUSE IN THE DISTRICT OF COLUMBIA—REPORT OF A COMMITTEE

Mr. CAIN. Mr. President, from the Committee on Public Works, I ask unanimous consent to report favorably with amendments the bill (S. 450) to provide for the acquisition of a site and for the construction, equipment, and furnishing of a building thereon for the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia, and I submit a report (No. 164) thereon. The accompanying report pertains to the amendments made by the committee. I request that the bill as amended by the committee, and the report, be printed.

The PRESIDENT pro tempore. Without objection, the report will be received, and the report and bill will be printed as requested by the Senator from Washington, and the bill will be placed on the calendar.

BILLS INTRODUCED

Bills were introduced, read the first time, and by unanimous consent, the second time, and referred as follows:

By Mr. HOLLAND:

S. 1265. A bill to amend sections 1301 and 1303 of the Code of Law for the District of Columbia, relating to liability for causing death by wrongful act; and

S. 1266. A bill to amend section 1064 of the act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, relating to admissibility of testimony by a party to a transaction when the other party is incapable of testifying; to the Committee on the District of Columbia.

By Mr. CORDON:

S. 1267. A bill for the relief of Eleonore M. Hannon; to the Committee on the Judiciary.

By Mr. BUTLER:

S. 1268. A bill to amend subsection 200 (c) of the Servicemen's Readjustment Act of 1944, as amended; to the Committee on Finance.

(Mr. LANGER introduced the following bills, which were referred to the Committee on Public Lands, and appear under a separate heading:

S. 1269. A bill to subject Indians of the State of California to the laws of that State; and

S. 1270. A bill to provide for the distribution of certain funds of the Indians of California held in trust by agencies of the Department of the Interior or in the Treasury of the United States, and for other purposes.)

PROPOSED CALIFORNIA INDIAN PROGRAM

Mr. LANGER. Mr. President, I ask unanimous consent to introduce for appropriate reference, two bills relating to Indians of the State of California. I request that a statement in connection with the bills be printed in the RECORD.

The PRESIDENT pro tempore. Without objection, the bills will be received and appropriately referred, and without objection, the statement presented by the Senator from North Dakota will be printed in the RECORD.

There being no objection, the bills were received, read twice by their titles, and

referred to the Committee on Public Lands, as follows:

S. 1269. A bill to subject Indians of the State of California to the laws of that State; and

S. 1270. A bill to provide for the distribution of certain funds of the Indians of California held in trust by agencies of the Department of the Interior or in the Treasury of the United States, and for other purposes.

The statement presented by Mr. LANGER was ordered to be printed in the RECORD, as follows:

PREFACE TO STATEMENT OF DELEGATES, ALTERNATES, AND SPECIAL DELEGATES REPRESENTING INDIANS OF CALIFORNIA

Mr. Chairman and members of the Subcommittee on Indian Affairs of the House Committee on Public Lands; we have been officially advised that the Indian Bureau has been for some time negotiating with the Governor and members of the State Legislature of California to the end that the Indians of California may be transferred from Federal to State supervision, or perhaps it would be more correct to say, to joint supervision to be provided by a specially created board of managers, the cost of such board to be paid for jointly by the Federal Government, the State of California, and the Indians of California out of their \$5,000,000 now in the Treasury of the United States to their credit. We understand that at least two officials of the Indian Bureau are now in California for that purpose.

We are confident that our Indian people are definitely and unalterably opposed to the creation of a new Indian Bureau. For many years our people have asked that they be freed from Indian Bureau supervision and that they be accorded full citizenship, including the right to manage their own property now held in trust by the Indian Bureau. Our people are qualified to manage their own affairs without cost to the Federal Government.

The Indians of California desire to be accorded the same rights and privileges as other citizens. They desire to be freed from Federal supervision by the earliest date possible. We feel that unless a definite program is adopted by Congress, with the aid of the Indians of California, the unnecessary cost of their supervision will continue as heretofore, years without end. We are relying on you, as Members of Congress, for remedial legislation. There is no other tribunal from which the relief we need can be secured. We need, among other things, legislation that will permit our people, by the process of delegates in convention, to reach conclusions whereby our people will be vocal, and recognized by Congress, as to their recommendations. A bill for that purpose, S. 1102, is now pending before the Senate Committee on Public Lands.

For several weeks, beginning January of this year eight Indian delegates representing Indians of California conferred in Washington with each other and with officials who could furnish them with information. They had before them the recommendations of Mr. Zimmerman, Acting Commissioner of Indian Affairs which he presented to the Senate Civil Service Committee on February 8, 1947. A copy of his recommendations and tabulation of amounts now being expended by the Indian Bureau through its agencies in California—a total of more than \$1,000,000 annually—is attached to the statement handed to you, entitled "Statement of Delegates, Alternates, and Special Delegates Representing Indians of California."

In order for you to get the picture clearly before you, I shall first read the statement of Mr. Zimmerman, followed by the statement of the delegates.

PROPOSED CALIFORNIA INDIAN PROGRAM

Objective: Orderly withdrawal of Federal service and supervision over the affairs of California Indians.

Joint Indian Welfare Board: Obtain congressional and California State legislative authority for the establishment of a joint State-Federal Indian Welfare Board of five members, two Indians appointed by the governor from a list recommended by the organized California Indians, two State officials, one Federal representative appointed by Secretary of the Interior.

Transfer to this board the following:

Any service, guidance, and supervisory functions deemed essential for Indian welfare and the proper use and protection of Indian property during the existing of the board.

The administration and disposition of the California Indian judgment fund of more than \$5,000,000 and of any other compensation which may accrue to the Indians of California.

Finance the operation of the board by Federal and State contributions and from available judgment funds.

Law enforcement: Transfer to State and counties.

Trust lands: Retain title of present Indian lands in the United States in trust for a definite period.

Approve fee patents to public domain allotments and homesteads upon application by the owners and recommendation by the board.

Require from fee patent applicants a waiver of right to any special Federal Indian gratuity services for himself and family.

Tribal lands and allotments: Authorize the organization of Indian cooperative associations and/or corporations under State or Federal law to manage tribal lands and personal property under proper safeguards with the consent of a majority of the adult members of the group and the approval of the articles and bylaws by the joint board. Organized groups may, upon application by the allottees, undertake management of individual allotments. Applications for removal of restrictions or fee patents for allotments must have approval of the joint board. Organized tribes and groups may make contributions to counties and school districts in lieu of taxes while land remains in trust.

Potential reductions: Reduction in Federal personnel and expenditures will depend upon two factors: The availability of a substantial part of the \$5,000,000 judgment fund for use through the proposed board for constructive purposes and administrative costs; the willingness of the State to contribute personnel and funds; the rate of fee patent applications for public domain and other allotments. If the State of California will participate and the Indians of California will approve an act of Congress for the cash distribution of one-half of the judgment fund and authorizing the use of the remaining part of the fund for defraying the cost in whole or in part, of the management of the fund, it should be possible substantially to reduce Federal Indian expenditures in California within 2 years after the enactment of the legislation and the establishment of the board. Within 10 years after the establishment of the board, the State assuming the financial responsibility, Federal expenditures could probably be cut to 25 percent of the 1947 level, and within 25 or 30 years they could cease entirely.

Sherman Institute: The cost of operating the Sherman Institute at Riverside, Calif., is considered separately. That expense may be eliminated entirely at any time if Congress so ordains.

1947 Federal expenditures: The Federal expenditures in California during the present fiscal year are as follows:

(1) Reservation administration, including construction and maintenance of buildings and utilities-----	\$153,170
(2) Education, including State contractual subsidy-----	181,729
(3) Health service, including cost of State medical contract-----	239,037
(4) Welfare and relief-----	23,533
(5) Forestry protection-----	31,393
(6) Agricultural extension and credit-----	20,841
(7) Irrigation, M & O-----	37,241
(8) Roads-----	110,000
Subtotal-----	796,944
(9) Sherman Institute-----	253,324
(10) Allotted to Yuma from Colorado River (Ariz.) Agency (estimated)-----	30,000

Total expenditure in California----- 1,080,268

The personnel at the agencies consists of 104 full-time classified employees and of 73 unclassified employees, principally Indian aides and part-time employees.

The California Indian roll lists some 23,000 names. The total Indian holdings of trust land in California are 605,000 acres, of which 415,000 acres are in tribal status and 190,000 acres are in individual allotments and homesteads. Most of the Indian land is in the mountains and deserts.

STATEMENT OF DELEGATES, ALTERNATES, AND SPECIAL DELEGATES REPRESENTING INDIANS OF CALIFORNIA

The Indians of California should be freed from all supervision by the Federal Government and the Government should be freed from its total cost of such supervision. The Indians should be treated the same as other citizens of the State. As far back as 1916, in a test case (Anderson (an Indian) against Shafter Mathews, county clerk of Lake County), the Supreme Court of California found and declared that the Indian is a born citizen, entitled to all the privileges and amenable to the same laws as other residents and citizens, including the right to register and vote (174 Cal. 537).

The Indians are required to pay for hunting and fishing licenses the same as other persons within the confines of the State, when hunting or fishing off the reservation. The majority of the Indians do not have any connection with any reservation, and are therefore required to secure licenses. They are assessed taxes in all cases, the same as other persons residing in California, including automobile and gasoline taxes, sales, property, and school taxes. Under the laws and the Constitution of California, the Indians are entitled:

- (1) To vote.
- (2) To attend public schools. (Whether the Indian has taxable property or not, he is not required to pay any tuition, and his school books are furnished free. In 1929, the Supreme Court of California declared unconstitutional, null, and void, the act of the State legislature intended to bar Indian children from attending public schools if the Indian resided within 3 miles of a Government school) (193 Cal. 664).
- (3) To receive old-age pensions when they are 65 years of age, or over.
- (4) To receive monthly allowances for the care of orphan and half-orphan children.
- (5) To receive monthly and temporary allowances when blind or in indigent circumstances, also to be admitted to county hospitals and alms houses, under the same circumstances as any other resident of the county; also free care in State institutions.

PROMOTING THE MINING OF COAL, PHOSPHATE, SODIUM,
POTASSIUM, OIL, OIL SHALE, GAS, AND SULFUR ON
LANDS ACQUIRED BY THE UNITED STATES

MAY 12 (legislative day, APRIL 21), 1947.—Ordered to be printed

Mr. ROBERTSON of Wyoming, from the Committee on Public Lands,
submitted the following

R E P O R T

[To accompany S. 1081]

The Senate Committee on Public Lands, to whom was referred the bill (S. 1081) to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States, having considered the same, report favorably thereon with the following amendments and with the recommendation that the bill, as amended, do pass:

On page 1, line 9, strike out the semicolon after the word "extended," insert a comma, and add the words: "including such lands acquired under the provisions of the Act of March 1, 1911 (36 Stat. 961, 16 U. S. C., sec. 552);".

On page 2, line 7, after the period, add the following sentence: "'Lease' includes 'prospecting permit' unless the context otherwise requires."; line 8, strike out the word "All" and insert "Except where lands have been acquired by the United States for the development of the mineral deposits, by foreclosure or otherwise for resale, or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U. S. C., sec. 1611 and the following), all"; line 9, after the word "or", at the end of the line, insert the words "may hereafter be".

On page 4, line 15, strike out the comma after the word "lands" and the words "shall furnish to him" and insert the word "and".

On page 5, line 16, strike out the word "its" and insert in lieu thereof the word "their"; line 17, strike out all after the words "a lease" down to and including the words "provisions hereof." in line 20 and add the following:

who, on the date of this Act, had pending an application for an oil and gas lease for any lands which on the date the application was filed was not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands without competitive bidding.

On page 6, line 5, strike out the period and add the words "to the extent that they are applicable."

This proposed legislation extends the mineral leasing laws now applicable only to public lands to all acquired lands, with certain exceptions. It authorizes the leasing of fractional and future interests in minerals which have been or may be acquired by the United States and Alaska. The exceptions cover lands in incorporated cities, towns and villages, national parks or monuments, or set apart for military or naval purposes.

Except to make sales of acquired lands subject to any mineral lease outstanding at the time of sale, the bill would not affect such sales nor would it authorize any reservation of minerals in the conveyance of any acquired lands other than those now authorized by law.

Receipts under the proposed act would be disposed of in the same manner as other receipts on account of nonmineral uses of the same land. Provision is made for the protection of outstanding rights, and the bill provides that the regulations issued under the mineral leasing laws shall apply insofar as applicable.

The bill is designed to further stimulate the discovery of new petroleum reserves and to promote the development of oil and gas on acquired lands and follows the recommendation of the Secretary of the Interior in his annual report for 1946, in which he states (p. 32):

The management of all the minerals in all the Federal lands should be in the experienced mineral agencies in Interior, rather than in several separate Federal departments. Certain changes in the mineral leasing laws should be considered by Congress.

It is also in conformity with the recommendation of the Special Senate Committee Investigating Petroleum Resources, dated January 31, 1947 (p. 49), which states:

In addition to the public-domain lands within the United States, the Federal Government also owns extensive areas commonly referred to as "acquired lands." * * * These lands are not subject to the mineral leasing laws covering the public-domain lands. Some of the acquired lands have been leased for oil or gas development, but it is clear from evidence presented to the committee that exploration of acquired lands has been retarded (a) by lack of statutory authority to lease, (b) by divided jurisdiction among various departments of Government, and (c) by a want of uniformity in policy and leasing procedure. The Senate should give early consideration to the various postwar problems arising from the large amount of recently acquired lands, both as to their disposal and as to their mineral deposits.

This bill covers only the leasing of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur in acquired lands and does not provide for the leasing or disposition of other deposits underlying these lands, such as gold, silver, copper, and other solid or metal-liferous minerals. It was the sense of the committee that minerals other than those covered by this bill should be considered as an entirely separate matter. The drilling for and the extraction of oil and gas and other minerals referred to in this bill differ greatly, from a practical and operating standpoint, from the mining of solid or metalliferous minerals.

The committee takes the position that this bill does not apply to "tidelands or submerged lands," now the subject of litigation in the United States Supreme Court.

The report of the Interior Department, among other things, suggested an amendment to section 3 of the bill, which was adopted, prefacing the section with the words:

Except where lands have been acquired by the United States for development of mineral deposits by foreclosure or otherwise for resale or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U. S. C., sec. 1611 et seq.).

In a discussion with representatives of the Interior Department at the time of the hearing on the bill, it was suggested that the word "mineral" in the above quotation be stricken and the word "helium" inserted therefor, it being the view of the committee that such provision should be confined to helium deposits. The committee agreed, however, to accept the Department's version, with the understanding that the word "mineral" should apply only to helium, fissionable materials, or any other mineral absolutely essential to the defense of the country, but excluding the minerals mentioned in the bill.

Further detailed information as to the amendments suggested by the Interior Department is contained in its report to the chairman of the Senate Public Lands Committee under date of May 2, 1947, which report is hereinbelow set forth in full and made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, May 2, 1947.

Hon. HUGH BUTLER,
Chairman, Committee on Public Lands,
United States Senate.

MY DEAR SENATOR BUTLER: This is in further reply to your request of April 10 for a report on S. 1081, a bill to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

I favor the enactment of this bill if amended as hereinafter suggested.

The bill would extend the mineral leasing laws now applicable only to the public lands to all acquired lands, with certain exceptions. It would authorize the leasing of fractional and future interests in minerals which have been or may be acquired by the United States. The exceptions cover lands in incorporated cities, towns, and villages, national parks or monuments, or set apart for military or naval purposes.

Except to make sales of acquired lands subject to any mineral lease outstanding at the time of sale, the bill would not affect such sales nor would it authorize any reservation of minerals in the conveyance of any acquired lands other than those now authorized by law.

Receipts under the act would be disposed of in the same manner as other receipts on account of nonmineral uses of the same land. Provision is made for the protection of outstanding rights, and the bill provides that the regulations issued under the mineral leasing laws shall apply.

The following amendments are suggested:

Except as to oil, gas, oil shale, and phosphate the mineral leasing acts provide for prospecting permits as well as leases. In order to make it clear that the prospecting provisions of those acts also apply, it is suggested that the following sentence be added to section 2:

"'Lease' includes 'prospecting permit' unless the context otherwise requires."

It is noted that the definition of acquired lands in section 2 is broad enough to include lands acquired under the provisions of the act of March 1, 1911 (36 Stat. 961, 16 U. S. C., sec. 552). However, to avoid any doubts as to the inclusion of such lands, since provision has already been made in the act of March 4, 1917 (39 Stat. 1150, 16 U. S. C., sec. 520), for disposing of minerals contained therein, I suggest the insertion in line 9, page 1, after the word "extended," of the words "including such lands acquired under the provisions of the act of March 1, 1911 (36 Stat. 961, 16 U. S. C., sec. 552)."

It is suggested that the present text of section 3 be prefaced with the words, "Except where lands have been acquired by the United States for the development of the mineral deposits, by foreclosure or otherwise, for resale, or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U. S. C., sec. 1611 et seq.)." The reasons for these suggested exceptions are,

as to the first, that authority has been granted to the Bureau of Mines to purchase lands valuable for helium gas, and the development of such lands under lease would jeopardize the helium deposits. Since the areas involved are small and since it has been the practice to withhold helium lands on the public domain from oil and gas leasing, it seems advisable to eliminate such lands from leasing under this bill. As to the second and third exceptions, it would appear to be in the best interest of the United States not to reserve the minerals, and it would be administratively impractical to consider lease applications for such lands in the brief period during which the title to the lands remains in the United States.

Acquired lands, as defined in section 2 of the present bill, would include acquired lands transferred to this Department for Indian use. In general, where public lands have been reserved, or other lands have been purchased for them the Indians own the minerals as well as the lands and, in my opinion, this rule should apply also to acquired lands transferred to this Department for the use of the Indians. The elimination of such transferred lands from the general leasing provisions of this bill would not result in a withdrawal of the deposits from development under lease if the lands were made subject to the appropriate mineral leasing laws applicable to Indian lands. Of course, such lands as are owned in fee by the Indians or held in trust for them by the United States are not "acquired lands" as such lands are defined in section 2 of the bill. However, the title to the transferred lands is in the United States, and extension of the Indian mineral leasing laws to them would vest in the Indian users a beneficial interest in the income derived from the leasing of the minerals. I therefore suggest that the bill be amended by adding at the end of section 3 the following language:

"Provided, That minerals in lands set apart for Indian use, including lands the jurisdiction of which has been transferred to the Department of the Interior by Executive order for Indian use, shall be subject to the Act entitled, 'An Act to regulate the leasing of certain Indian lands for mining purposes,' approved May 11, 1938 (52 Stat. 347, 25 U. S. C., secs. 396a-396f)."

If section 3 is amended as suggested, section 6 should also be amended by adding the following proviso to the present text:

"Provided, however, That receipts from leases or permits for minerals in lands set apart for Indian use, including lands the jurisdiction over which has been transferred to the Department of the Interior by Executive order for Indian use, shall be disposed of in accordance with the provisions of existing law governing Indian mineral leasing."

In order to clarify the meaning of the first sentence in section 7, it is suggested that the comma after "lands" and the words "shall furnish to him" in line 15 on page 4 be omitted and the word "and" be substituted therefor.

Section 9 of the bill would grant a preference right over others to a lease to any qualified person who on March 1, 1947, had pending an application for such a lease. The language used in the bill may be construed to require the issuance of a lease in such cases even though at the time the application was filed the land was known to be valuable for the mineral for which a lease is desired. It is the practice under the mineral leasing laws, except for noncompetitive oil and gas leases and leases granted as rewards for discoveries made on lands embraced in prospecting permits, to lease all minerals by competitive bidding. Noncompetitive oil and gas leases are issued where, at the date an application was filed, the land was not within the known geologic structure of a producing oil or gas field, even though, prior to their issuance, the lands are included in such a field. In order to make the bill consistent with the practice under the mineral leasing laws, the preference right should be limited to applicants for oil and gas leases for lands which, on the date of filing of the application, were not within the known geologic structure of a producing oil or gas field. Moreover, applicants for oil and gas leases who filed after March 1, 1947, should enjoy the same privileges as those who filed prior to that date. It is, therefore, suggested that the following language be substituted for the first sentence of section 9:

"SEC. 9. Nothing in this Act shall affect any rights acquired by any lessee of lands subject to this Act under the law as it existed prior to the effective date of this Act, and such rights shall be governed by the law in effect at the time of their acquisition; but any person qualified to hold a lease who, on the date of this Act, had pending an application for an oil and gas lease for any lands which on the date the application was filed was not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands without competitive bidding."

Since about 1941, the Department of Agriculture has followed the practice of leasing competitively all prospectively valuable oil and gas lands where a competitive interest is shown without regard to whether or not the lands are within

the known geologic structure of a producing oil or gas field. I am informally advised that as of July 16, 1946, that Department had realized more than \$3,000,000 from the sale of oil and gas leases for lands outside of such known geologic structures although the total area of acquired lands under its jurisdiction is only about one-tenth of the area of public land subject to oil and gas leasing. Most of these acquired lands were purchased pursuant to acts of Congress which provided that a percentage of the proceeds derived from the use of the lands shall be paid to the county in which they are situated. The remainder of such proceeds is paid into the Treasury of the United States. The fact that the lands were offered competitively did not retard leasing, the competitive interest being sufficient to insure offers of substantial bonuses. If the committee feels that this practice should be continued in the interest of the United States and the local governments which participate in the returns, section 3 of the bill should be amended by adding at the end of the first sentence, line 17, page 2, the words "except that as to oil and gas acquired lands shall be offered by competitive bidding in all cases where a competitive interest in leasing such lands is shown to exist." If section 3 is amended as suggested the amendment to section 9 proposed in the preceding paragraph should be amended by substituting for the words "was not situated within the known geologic structure of a producing oil or gas field.", the words "was not affected by any competitive interest in its acquisition for oil and gas development."

Section 10 authorizes the Secretary of the Interior to prescribe necessary rules and regulations under the act but requires that such rules and regulations shall be the same as those prescribed under the mineral leasing laws. Since conditions with respect to acquired lands differ in several respects from those pertinent to public lands, complete conformity of the regulations is not possible. Even without any such requirement this Department in the interest of uniformity would, if the bill is enacted, apply the same general regulations both to the public and acquired lands. It probably was not intended by the use of the restrictive language to prevent the issuance of regulations different from those applicable to the public lands if necessary to carry out the purposes of the act. However, in order to remove any doubt, it is suggested that the words "to the extent that they are applicable" be added at the end of section 10.

I would like to call your attention to the fact that although I favor the enactment of this bill if amended as suggested, I do not thereby abandon my stand in favor of the enactment of broader mineral leasing legislation for the acquired lands. The Department's position in this regard is the same as it has been since it first seriously considered this question. That position is clearly outlined in its report of January 23, 1945, on S. 736 of the Seventy-eighth Congress, which would have extended the mining and mineral leasing laws to acquired lands, and March 3, 1947, on H. R. 1684 of the present Congress, which would extend the mining laws to all minerals in acquired lands, including oil and gas and other minerals which, when found in public lands, may only be acquired under a lease. Although the President's Reorganization Plan No. 3 of 1946 transferred to this Department the jurisdiction over the minerals in certain acquired lands, it is desirable in the interest of economy and more efficient administration to consolidate the jurisdiction over all federally owned minerals in a single agency, and leasing of such deposits is necessary to the adequate protection of the Government's surface interest in the lands. I enclose copies of the reports on the two bills and, for the reasons outlined therein, suggest the advisability of the introduction and enactment of a bill to extend the mineral leasing laws to all minerals in acquired lands not already covered by H. R. 3022 and S. 1081. If desired, the assistance of this Department in drafting such a measure is available to the committee.

In view of the fact that this Department has been requested to expedite its report on S. 1081, this letter has not been submitted to the Bureau of the Budget for consideration. Therefore, no commitments can be made concerning the relationship of the foregoing facts to the program of the President.

Sincerely yours,

OSCAR L. CHAPMAN,
Under Secretary of the Interior.

The report of the Department of Agriculture is also hereinbelow set forth and made a part of this report.

DEPARTMENT OF AGRICULTURE,
Washington, May 2, 1947.

HON. HUGH BUTLER,
*Chairman, Committee on Public Lands,
United States Senate.*

DEAR SENATOR: This is in further reply to Mr. Brown's request of April 18, 1947, for a report on S. 1081, a bill to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

The bill would, in effect, apply the principles of the mineral leasing laws to the enumerated minerals on lands acquired by the United States. The Department of Agriculture administers some 30,000,000 acres of such lands. These lands were acquired by the United States, mainly through purchase in furtherance of a variety of public purposes—retirement of lands unsuited for cultivation and their protection and development for soil conservation, watershed protection, and for forest, range, wildlife, and recreational uses. The lands are not confined to the West but are located throughout the United States. The public has invested large sums in their acquisition, development, and management.

The Department of Agriculture, while fully recognizing the need for legislation to cover the disposal of minerals in acquired lands, believes that S. 1081 does not adequately take account of all of the problems that are involved. Specifically, we are opposed to the enactment of S. 1081 for the following reasons:

1. The bill would authorize the leasing of only certain enumerated minerals. With respect to some acquired lands there is at present no statutory authority for disposal of other minerals and with respect to certain other of these lands such authority is vested in the Secretary of Agriculture. This situation should be corrected once and for all by enactment of legislation which would authorize the Secretary of the Interior to manage and dispose of all of the mineral resources in acquired lands.

As a matter of public policy, this Department believes that disposal of all minerals in acquired lands should be by lease or permit and should provide reasonable safeguards to protect the public interest in the primary purposes for which these lands were acquired and are being administered and provide equitable returns on the public investment.

2. In administering the minerals in the acquired lands to which S. 1081 would apply, the Department of Agriculture has consistently followed the practice of leasing through competitive bidding minerals in which a competitive interest was evident. As a result of this practice, in the 2 years ending July 1946, the Department of Agriculture obtained approximately \$3,200,000 in bonuses alone from leases, principally for oil and gas, on lands which although of a competitive nature were not within any known structure of a producing oil or gas field. Approximately 25 percent of these receipts was returned to the States and counties in which the lands are situated in accordance with statutory requirement for the support of public improvements and services. Under the provisions of S. 1081, which would apply the nominal filing fee provisions of the mineral leasing acts to such lands, this important source of revenue would be eliminated.

3. A further effect of the enactment of S. 1081 would be to greatly reduce receipts from rental payments on oil and gas leases on acquired lands of this Department. Such receipts for the past several years have totaled approximately \$250,000. These receipts were based on a graduated rental scale of 25 cents, 50 cents, 75 cents, and \$1 for the first, second, third, and fourth and each subsequent lease year, respectively, with the rental becoming \$1 per year subsequent to production except for leases issued prior to June 16, 1944, which carried a uniform \$1 per acre rental. Had the rental provisions of the mineral leasing acts been applicable to these leases, as provided in S. 1081, the United States might well have received only one-fifth of the \$250,000 or \$50,000 and the share going to the States and counties would have been reduced proportionately.

It is estimated that in fiscal year 1948, on national-forest lands alone, under leases which were issued by this Department, the United States will receive about \$100,000 in rentals, of which the States and counties will receive 25 percent. Enactment of section 9 of the bill would authorize the exchange of all such leases for new leases issued under the provisions of the act. By placing such leases within the purview of the mineral leasing laws, there would be an anticipated reduction in rentals alone due the United States of approximately \$75,000 for fiscal year 1948. For fiscal year 1949 the reduction might be even greater because of the graduated scale of rentals placed in effect by this Department to discourage speculation and encourage development. Correspondingly, the receipts payable

to the States for the benefit of the counties in which the national forests are situated would suffer in direct proportion.

Further, there are now pending in the Bureau of Land Management, of the Department of the Interior, some 150 applications for lease of national forest lands under the President's Reorganization Plan No. 3 of 1946. These applications for the most part embrace 2,560 acres each. If the leasing provisions of the mineral-leasing laws are made applicable to these lands and the mineral deposits are disposed of through noncompetitive procedure, it is estimated that the loss in revenue to the United States, the States, and their political subdivisions might well be several million dollars.

4. This Department is opposed to the provisions of section 7 of S. 1081. These records, in large measure, are maintained at the field offices of the agencies of this Department, where they are needed in the day-to-day administration of the land and its resources, other than mineral. The transfers contemplated in this section would risk the loss of irreplaceable records. Their volume aggregates several thousand tons, and the mere problem of assembly and transportation would be formidable. It is estimated that reproduction or duplication of the records would be an extremely costly job and would involve several years of work. It is felt preferable to restrict the supplying of records or information to lands for which specific leasing applications have been received. Such an arrangement is already in satisfactory operation with respect to applications for mineral leases on lands subject to the President's Reorganization Plan No. 3 of 1946.

This Department has recognized the desirability of placing the administration of all mineral deposits under the jurisdiction of one agency, with adequate statutory authority for their management and appropriate disposal. It is strongly opposed, however, to the enactment of S. 1081, which would apply the too generous public domain disposal policies to lands acquired for particular public purposes at considerable public expense and administered by this Department pursuant to important and well-established objectives. The loss of revenue involved is of special significance now that the need for balancing the Federal Budget is so great.

In the Seventy-eighth Congress there was introduced a bill (S. 736) to promote the mining of minerals on lands acquired by the United States. In its original form the bill was not acceptable to this Department; but following a long series of conferences and discussions with representatives of the Department of the Interior, there was evolved a revision of the bill mutually acceptable to both Departments.

Enclosed for your consideration as a proposed substitute for S. 1081 is a draft of a bill which is substantially the same as that agreed upon by this Department and the Department of the Interior in their consideration of S. 736.

It provides for the leasing of deposits of coal, phosphate, sodium, potassium, oil, oil shale, gas, sulfur, and all other minerals and mineral resources on lands acquired by the United States. Enactment of this draft bill which this Department recommends would provide statutory authority for the development, under a leasing or permit system, of all minerals in acquired lands in the United States, Alaska, and Puerto Rico, with adequate provision for harmonizing such development with the primary purposes for which the lands were acquired and are being administered and for assuring the public a fair return from the disposal of the minerals.

The bill would except from its provisions certain lands which obviously are not suitable for mineral development, such as military lands and surplus lands subject to early disposal.

In view of the time limitation, we have not obtained from the Bureau of the Budget advice as to the relationship of this proposed legislation, or report thereon, to the program of the President.

Sincerely,

CHARLES F. BRANNAN,
Assistant Secretary.

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80TH CONGRESS
1ST SESSION

S. 1081

[Report No. 161]

IN THE SENATE OF THE UNITED STATES

APRIL 9 (legislative day, MARCH 24), 1947

Mr. ROBERTSON of Wyoming introduced the following bill; which was read twice and referred to the Committee on Public Lands

MAY 12 (legislative day, APRIL 21), 1947

Reported by Mr. ROBERTSON of Wyoming with amendments

[Omit the part struck through and insert the part printed in italic]

A BILL

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the “Mineral Leasing Act
4 for Acquired Lands”.

5 SEC. 2. As used in this Act, “United States” includes
6 Alaska; “acquired lands” or “lands acquired by the United
7 States” include all lands heretofore or hereafter acquired by
8 the United States to which the mineral leasing laws have
9 not been extended, *including such lands acquired under the*
10 *provisions of the Act of March 1, 1911 (36 Stat. 961, 16*

1 *U. S. C., sec. 552*); “Secretary” means the Secretary of the
 2 Interior; “mineral leasing laws” shall mean the Act of
 3 October 20, 1914 (38 Stat. 741; 48 U. S. C., sec. 432);
 4 the Act of February 25, 1920 (41 Stat. 437; U. S. C.,
 5 sec. 181); the Act of April 17, 1926 (44 Stat. 301; 30
 6 U. S. C., sec. 271); the Act of February 7, 1927 (44
 7 Stat. 1057; 30 U. S. C., sec. 281), and all Acts hereto-
 8 fore or hereafter enacted which are amendatory of or
 9 supplementary to any of the foregoing Acts. “Lease”
 10 includes “prospecting permit” unless the context otherwise
 11 requires.

12 SEC. 3. ~~All~~ *Except where lands have been acquired by the*
 13 *United States for the development of the mineral deposits, by*
 14 *foreclosure or otherwise for resale, or reported as surplus*
 15 *pursuant to the provisions of the Surplus Property Act of*
 16 *October 3, 1944 (50 U. S. C., sec. 1611 and the follow-*
 17 *ing), all deposits of coal, phosphate, oil, oil shale, gas, sodium,*
 18 *potassium, and sulfur which are owned or may hereafter*
 19 *be acquired by the United States and which are within the*
 20 *lands acquired by the United States, exclusive of such*
 21 *deposits in such acquired lands as are situated within incor-*
 22 *porated cities, towns, and villages, national parks or monu-*
 23 *ments, or set apart for military or naval purposes, may*
 24 *be leased by the Secretary under the same conditions as*
 25 *contained in the leasing provisions of the mineral leasing*

1 laws, subject to the provisions hereof. The provisions of
2 the Act of April 17, 1926 (44 Stat. 301), as heretofore
3 or hereafter amended, shall apply to deposits of sulfur
4 covered by this Act wherever situated. No mineral deposit
5 covered by this section shall be leased except with the
6 consent of the head of the executive department, inde-
7 pendent establishment, or instrumentality having jurisdic-
8 tion over the lands containing such deposit, or holding a
9 mortgage or deed of trust secured by such lands which
10 is unsatisfied of record, and subject to such conditions as
11 that official may prescribe to insure the adequate utilization
12 of the lands for the primary purposes for which they
13 have been acquired or are being administered.

14 SEC. 4. Nothing herein contained shall be deemed or
15 construed to (a) amend, modify, or change any existing
16 law authorizing or requiring the sale of acquired lands,
17 or (b) empower any commission, bureau, or agency of
18 the Government to make a reservation of the minerals
19 in the sale of any acquired land: *Provided*, That any such
20 sale or conveyance of lands shall be made by the agency
21 having jurisdiction thereof, subject to any lease theretofore
22 made, covering the mineral deposits underlying such lands.

23 SEC. 5. Where the United States does not own all of
24 the mineral deposits under any lands sought to be leased and
25 which are affected by this Act, the Secretary is authorized

1 to lease the interest of the United States in any such mineral
2 deposits when, in the judgment of the Secretary, the public
3 interest will be best served thereby; subject, however, to the
4 provisions of section 3 hereof. Where the United States does
5 not own any interest or owns less than a full interest in the
6 minerals that may be produced from any lands sought to be
7 leased, and which are or will be affected by this Act and
8 where, under the provisions of its acquisition, the United
9 States is to acquire all or any part of such mineral deposits
10 in the future, the Secretary may lease any interest of the
11 United States then owned or to be acquired in the future in
12 the same manner as provided in the preceding sentence.

13 SEC. 6. All receipts derived from leases issued under the
14 authority of this Act shall be paid into the same funds or
15 accounts in the Treasury and shall be distributed in the same
16 manner as prescribed for other receipts from the lands af-
17 fected by the lease, the intention of this provision being that
18 this Act shall not affect the distribution of receipts pursuant
19 to legislation applicable to such lands.

20 SEC. 7. Upon request by the Secretary, the heads of all
21 executive departments, independent establishments, or instru-
22 mentalities having jurisdiction over any of the lands referred
23 to in section 2 of this Act shall furnish to the Secretary the
24 legal description of all of such lands, ~~shall furnish to him and~~
25 all pertinent abstracts, title papers, and other documents in

1 the possession of such agencies concerning the status of the
2 title of the United States to the mineral deposits that may be
3 found in such lands.

4 Abstracts, title papers, and other documents furnished
5 to the Secretary under this section shall be recorded promptly
6 in the Bureau of Land Management in such form as the
7 Secretary shall deem adequate for their preservation and use
8 in the administration of this Act, whereupon the originals
9 shall be returned promptly to the agency from which they
10 were received. Duly authenticated copies of any such ab-
11 stracts, title papers, or other documents may, however, be
12 furnished to the Secretary, in lieu of the originals, in the
13 discretion of the agency concerned.

14 SEC. 8. Nothing contained in this Act shall be con-
15 strued to affect the rights of the State or other local
16 authorities to exercise any right which they may have
17 with respect to properties covered by leases issued under this
18 Act, including the right to levy and collect taxes upon im-
19 provements, output of mines, or other rights, property, or
20 assets of any lessee of the United States.

21 SEC. 9. Nothing in this Act shall affect any rights
22 acquired by any lessee of lands subject to this Act under
23 the law as it existed prior to the effective date of this Act,
24 and such rights shall be governed by the law in effect at
25 the time of ~~its~~ *their* acquisition; but any person qualified to

1 hold a lease and who has filed an application for lease of such
2 lands, and whose application was pending on March 1, 1947,
3 shall be entitled to a preference right over others to a lease
4 of such lands under the provisions hereof who, on the date
5 of this Act, had pending an application for an oil and gas
6 lease for any lands which on the date the application was filed
7 was not situated within the known geologic structure of a
8 producing oil or gas field, shall have a preference right over
9 others to a lease of such lands without competitive bidding.

10 Any person holding a lease on lands subject hereto, which
11 lease was issued prior to the effective date of this Act, shall
12 be entitled to exchange such lease for a new lease issued
13 under the provisions of this Act, at any time prior to the
14 expiration of such existing lease.

15 SEC. 10. The Secretary of the Interior is authorized to
16 prescribe such rules and regulations as are necessary and
17 appropriate to carry out the purposes of this Act, which rules
18 and regulations shall be the same as those prescribed under
19 the mineral leasing laws to the extent that they are applicable.

80TH CONGRESS
1ST Session

Calendar No. 162

S. 1081

[Report No. 161]

A BILL

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

By Mr. ROBERTSON of Wyoming

APRIL 9 (legislative day, MARCH 24), 1947
Read twice and referred to the Committee on
Public Lands
MAY 12 (legislative day, APRIL 21), 1947
Reported with amendments

DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
Division of Legislative Reports
(For Department staff only)

Issued May 23, 1947
For actions of May 22, 1947
80th-1st, No. 97

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HIGHLIGHTS: House debated wool bill. 2nd deficiency bill sent to President. Senate passed bill extending SCS, ACP, FHA to Virgin Islands. Senate passed forest insects-disease bill. Rep. Murray and Sen. Johnson introduced bills prohibiting Government destruction of food.

Agricultural appropriation bill will probably be reported today. B&F will immediately advise agency budget offices of its provisions. They, in turn, will provide this information within the agencies. Copies will not be available for general distribution until probably Mon., when the distribution will be made through agency budget offices pursuant to a previously prepared list.

HOUSE

1. WOOL-PRICE SUPPORTS. Began debate on S. 314, the wool bill (pp. 5812-47).
2. SECOND DEFICIENCY APPROPRIATION BILL. Both Houses agreed to the conference report on this bill, H. R. 3245 (pp. 5810-12, 5789-90). Both Houses agreed to an amendment to the farm-labor item which not only reduced the total amount to \$5,000,000, exclusive of funds already available, but reduced the portion of this sum which must be apportioned among the States to \$2,000,000, the amount which may be used for administrative expenses to \$250,000, and the sum for liquidation to \$253,500. The House concurred in the Senate amendment regarding CCC notes. This bill will now be sent to the President.
3. PERSONNEL. The Ways and Means Committee reported without amendment H. R. 3101, to extend until June 30, 1949, the period during which persons may serve in certain executive departments and agencies without being prohibited from acting as counsel, agent, or attorney for prosecuting claims against the U. S. by reason of having so served (H. Rept. 424)(p. 5848).
4. DAIRY INDUSTRY. Rep. Gillie, Ind., recommended shipment of non-fat milk powder for foreign relief, stating that this would be a simple way to stabilize dairy prices (p. 5808).

SENATE

5. SOIL CONSERVATION. Passed as reported S. 512, to extend the SCS, ACP, and FHA programs to the Virgin Islands (p. 5799).
6. RECLAMATION. Passed over, at the request of Sen. Ellender, La., S. 299, to extend the reclamation laws to Ark. (p. 5801).

7. FOREST INSECTS & DISEASES. Passed as reported S. 597, to provide for the protection of forests from diseases and insects (pp. 5799, 5803-6).
8. PERSONNEL. Passed without amendment S. 1073, to extend until June 30, 1949, the time during which persons may serve in certain executive agencies without being prohibited from acting as counsel, etc., for prosecuting claims against the U.S. (p. 5799).
9. MINERALS. Passed over S. 1081, to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on U.S. lands (p. 5799).
10. GRANT LANDS. Passed without amendment H.R. 603, to allow credit for certain homestead entries for military or naval service rendered during World War II (p. 5802). This bill will now be sent to the President.
11. TAXATION. Continued debate on H.R. 1, the individual income tax-reduction bill (pp. 5781-9, 5797-8). During the debate Sen. Byrd, Va., urged completion of appropriation bills before consideration of H.R. 1 and discussed with other members appropriation bills yet to be considered (pp. 5781-6).
12. HEALTH. Sen. Chavez, N.Mex., urged favorable consideration of the national health bills (p. 5780).
13. EDUCATION. Sen. Aiken, Vt., discussed the school situation and favored Federal aid to education (pp. 5792-4).
14. NATIONAL SCIENCE FOUNDATION. Sen. Smith, N.J., withdrawn motion to reconsider the vote on S. 526, to create a National Science Foundation (p. 5799).

BILLS INTRODUCED

15. FOOD DESTRUCTION. S. 1329, by Sen. Johnson, Colo., to prohibit the destruction of food by Government agencies. To Judiciary Committee. (p. 5780.) In the discussion of this bill Sen. Johnson advocated that surplus potatoes be shipped to tax-supported institutions; Sen. Maybank, S.C., pointed out the difficulties of shipping them, since there are not enough cars available; and Sen. Hatch, N.Mex., defended Secretary Anderson's position, stating that "the potato problem has been a source of constant headache to the Department of Agriculture for a long time" (pp. 5790-2).
H.R. 3585, by Rep. Murray, Wis., to prohibit the Department of Agriculture and its officers, employees, and agents from destroying food which is fit for human consumption. To Agriculture Committee. (p. 5849.)
16. NATIONAL FORESTS. S. J. Res. 118, by Sen. Butler, Nebr. (by request), to authorize the Secretary of Agriculture to sell timber within the Tongass National Forest. To Public Lands Committee. (p. 5780.)
17. HEALTH. H.R. 3579, by Rep. Celler, N.Y., to provide a national health insurance and public health program. To Ways and Means Committee. (p. 5849.)
18. WILDLIFE. H.R. 3578, by Rep. Bates, Mass. (by request), to reduce in area the Parker River National Wildlife Refuge, Essex County, Mass. To Merchant Marine and Fisheries Committee. (p. 5849.)
19. PERSONNEL. H.R. 3588, by Rep. Rees, Kans., providing for a Federal Employees' Loyalty Act. To Post Office and Civil Service Committee. (p. 5849.)

period March 1, 1945, to July 31, 1945; recovery of such sum by the said Robert C. Birkes having been prevented by the fact that he was ordered by the Navy to make a change of station soon after the overcharge was determined by the Office of Price Administration. *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

WHITE HOUSE POLICE FORCE

The Senate proceeded to consider the bill (S. 1022) to authorize an adequate White House Police force, which had been reported from the Committee on Public Works, with an amendment on page 2, line 3, after the words "as may be necessary", to insert "but not exceeding 110 in number", so as to make the bill read:

Be it enacted, etc., That subsection (a) of section 2 of the act entitled "An act to create the White House Police force, and for other purposes," approved September 14, 1922 (42 Stat. 841, as amended; U. S. C., 1940 ed., title 3, sec. 62), is hereby amended to read as follows:

"Sec. 2. (a) The White House Police force shall consist of such number of officers, with grades corresponding to similar officers of the Metropolitan Police force, and of such number of privates, with grade corresponding to that of private of the highest grade in the Metropolitan Police force, as may be necessary, but not exceeding 110 in number. Members of the White House Police shall be appointed from the members of the Metropolitan Police force and the United States Park Police force from lists furnished by the officers in charge of such forces. Vacancies shall be filled in the same manner."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSION OF PROVISIONS OF AGRICULTURAL ACTS TO THE VIRGIN ISLANDS

The Senate proceeded to consider the bill (S. 512) to extend provisions of the Bankhead-Jones Farm Tenant Act and the Soil Conservation Act to the Virgin Islands, which had been reported from the Committee on Agriculture and Forestry, with amendments, on page 1, line 9, after the word "area", to strike out the word "to"; on page 1, line 9, after the word "finance", insert a comma; on page 1, line 9, after the word "State", insert a comma; and on page 2, line 23, before the name "Puerto Rico", to strike out "possessions" and insert "possession", so as to make the bill read:

Be it enacted, etc., That the following sections of title IV of the Bankhead-Jones Farm Tenant Act, as amended, except insofar as they affect title III of the Bankhead-Jones Farm Tenant Act, as amended, are hereby amended as follows:

(a) Subsection (b) of section 41 is amended to read: "The Secretary may administer his power and duties under this act through such area finance, State, and local offices in the United States and in the Territories of Alaska and Hawaii and in Puerto Rico and the Virgin Islands as he determines to be necessary: *Provided*, That existing regional

offices shall be liquidated on or before June 30, 1947. The Secretary may authorize one office to serve the area composed of two or more States (Territories or Puerto Rico and the Virgin Islands) if he determines that the volume of business in the area is not sufficient to justify separate State offices."

(b) Section 54 is amended to read: "The provisions of this act shall extend to the Territories of Alaska and Hawaii and to Puerto Rico and the Virgin Islands. In the case of Alaska and Puerto Rico and the Virgin Islands, the term 'county' as used in this act shall be deemed synonymous with 'Territory', or any subdivision thereof as may be designated by the Secretary, and payments under section 33 of this act shall be made to the governor of the Territory or to the fiscal agent of such subdivision."

Sec. 2. Subsection (a) of section 17 of the Soil Conservation and Domestic Allotment Act (49 Stat. 1151), is amended to read as follows: "This act shall apply to the United States, the Territories of Alaska and Hawaii, and the possession of Puerto Rico and the Virgin Islands, and, as used in this act, the term 'State' includes Alaska, Hawaii, Puerto Rico, and the Virgin Islands."

Sec. 3. All acts or parts of acts in conflict herewith are hereby repealed.

Mr. TAFT. Mr. President, may we have an explanation of this bill?

Mr. ELLENDER. The only purpose of the bill is to include the Virgin Islands in the agricultural relief acts. I am sorry the Virgin Islands were omitted from the laws when they were enacted some time ago. That is the sole and only purpose.

The PRESIDENT pro tempore. The question is on agreeing to the amendments reported by the committee.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 597) to provide for the protection of forests against destructive insects and diseases was announced as next in order.

Mr. LUCAS. Mr. President, may we have an explanation of the bill?

The PRESIDENT pro tempore. The Senator from Illinois asks for an explanation. There seems to be no explanation forthcoming. Is there objection to the passage of the bill?

Mr. LUCAS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1081) to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States, was announced as next in order.

Mr. LUCAS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 1154) to amend the Veterans' Emergency Housing Act of 1946 was announced as next in order.

Mr. LUCAS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

EMPLOYMENT OF GOVERNMENT EMPLOYEES AS COUNSEL IN PROSECUTING CLAIMS AGAINST THE UNITED STATES

The Senate proceeded to consider the bill (S. 1073) to extend until June 30, 1949, the period of time during which persons may serve in certain executive

departments and agencies without being prohibited from acting as counsel, agent, or attorney for prosecuting claims against the United States by reason of having so served, which was read, as follows:

Be it enacted, etc., That subsection (j) of the Renegotiation Act (50 U. S. C., Supp. V, App., sec. 1191 (j)) is amended to read as follows:

"(j) Nothing in sections 109 and 113 of the Criminal Code (U. S. C., title 18, secs. 193 and 203) or in section 190 of the Revised Statutes (U. S. C., title 5, sec. 99) shall be deemed to prevent any person by reason of service in a department or the Board during the period (or a part thereof) beginning May 27, 1940, and ending on June 30, 1949, from acting as counsel, agent, or attorney for prosecuting any claim against the United States: *Provided*, That such person shall not prosecute any claim against the United States (1) involving any subject matter directly connected with which such person was so employed, or (2) during the period such person is engaged in employment in a department."

Mr. FERGUSON. Mr. President, may we have an explanation of the bill?

Mr. MILLIKIN. Mr. President, we have a group of professional men who are on the excess-profits tax counsel of the Bureau of Internal Revenue and who work with the Joint Committee on Internal Revenue Taxation, helping to expedite excess profits refund problems. They are doing a fine job. They are men who cannot give up their private professional lives. They may have business with the Federal Government. There was a time limitation which exempted them from the operation of the usual Federal rule that a person cannot be a Federal employee and at the same time bring an action against the Government.

The purpose of the bill is to carry forward the exemption for another period, and at the same time, not permit the person affected to sue the Government in matters on which he was employed by the Government.

Mr. FERGUSON. Does the bill apply only to the particular group to whom the Senator refers?

Mr. MILLIKIN. They are the ones we had in mind. It may go somewhat beyond that but subject to the same limitations.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FEDERAL COURT BUILDING FOR THE DISTRICT OF COLUMBIA

The Senate proceeded to consider the bill (S. 450) to provide for the acquisition of a site and for the construction, equipment, and furnishing of a building thereon for the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia, which had been reported from the Committee on Public Works with amendments.

Mr. MAGNUSON. Mr. President, I should like to ask my colleague a question about the committee's approval of the bill, merely to elicit certain information. As the Senator from Washington

knows, there is a crying need throughout the United States for public buildings. I do not know that the need is so great in certain places as it is in others. In my State we are getting along satisfactorily, but Federal buildings for post offices, courts, and other uses, are really needed. In our State we have had an over-all policy, which is probably a wise one, of not embarking on public works at this time, owing to the employment situation. It is thought that public works might well be postponed. I know that in one or two places in the State of Washington, and even in my home town, there is a crying need for public buildings, which should probably receive priority when the public works program is begun. I refer particularly to the need for a post office. I was wondering why an exception was made of the District of Columbia from the general rule applying to the remainder of the country.

Mr. CAIN. I would say to my colleague the senior Senator from Washington that I think we are making no exception in this case. The bill authorizes the appropriation of \$400,000 for the drawing of plans and specifications against the day when the Federal building in question can be constructed, but there is no intention through this bill to begin construction at any time in the immediate future, and the Congress itself will determine the date of construction in the future.

Mr. MAGNUSON. I thank my colleague.

The PRESIDENT pro tempore. The Chair asks the Senator from Washington whether the Senate bill is not identical with House bill 3029, Calendar No. 192.

Mr. CAIN. Yes. It was our intention, Mr. President, to have the House bill substituted for Senate bill 450.

The PRESIDENT pro tempore. Without objection, House bill 3029, Calendar No. 192, will be substituted for Senate bill 450, Calendar No. 165, and will be now considered.

There being no objection, the Senate proceeded to consider the bill (H. R. 3029) to provide for the acquisition of a site and for preparation of plans and specifications for a courthouse to accommodate the United States Court of Appeals for the District of Columbia and the District Court of the United States for the District of Columbia, which had been reported from the Committee on Public Works with amendments on page 3, line 9, after the words "this", to strike out "title" and insert "act"; and on page 4, line 1, after the word "this", to strike out "title" and insert "act."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 450 will be indefinitely postponed.

BILL PASSED OVER

The bill (S. 28) to supersede the provisions of Reorganization Plan No. 3 of 1946, by reestablishing the offices of reg-

isters of land offices, and providing for appointment of the Director and Associate Director of the Bureau of Land Management, and for other purposes, was announced as next in order.

Mr. LUCAS. Over.

The PRESIDENT pro tempore. The bill will be passed over.

AMENDMENT OF THE PHILIPPINE REHABILITATION ACT

The bill (S. 1020) to amend the Philippine Rehabilitation Act of 1946, as amended, was considered, ordered to be engrossed for a third reading, read the third time, and passed as follows:

Be it enacted, etc., That section 101 (b) of the Philippine Rehabilitation Act of 1946, as amended, is amended by inserting after the word "employees," the following: "who shall be entitled to accumulate annual leave to the maximum of 90 workdays exclusive of the time actually and necessarily occupied in going to and from the continental United States and such time as may be necessarily occupied in awaiting sailing or flight."

SEC. 2. Subsection (c) of section 101 of such act, as amended, is amended by inserting after the words "Commonwealth of the Philippines" the following: "(or the Republic of the Philippines)".

SEC. 3. Subsection (a) of section 106 of such act, as amended, is amended to read as follows:

"SEC. 106. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the amount of \$400,000,000 for the purpose of paying compensation to the extent authorized by this title, and of such sum, not to exceed \$16,000,000 shall be available to pay the expenses of the Commission. All moneys heretofore or hereinafter appropriated under authority of this title shall remain available until April 30, 1951."

Mr. REVERCOMB subsequently said: Mr. President, I ask unanimous consent to recur to Senate bill 1020, Calendar No. 167.

The PRESIDENT pro tempore. The bill in question was passed.

Mr. REVERCOMB. I ask unanimous consent for the reconsideration of the vote by which the bill was ordered to be engrossed for a third reading, and passed.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from West Virginia? The Chair hears none, and it is so ordered.

The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1020) to amend the Philippine Rehabilitation Act of 1946, as amended.

Mr. REVERCOMB. Mr. President, may we have an explanation of the bill?

Mr. BUTLER. Mr. President, I think the report made by the committee gives all the information I could give. As the distinguished Senator from West Virginia realizes, there was previously appropriated a total sum of \$400,000,000, as I recall, to cover war damage in the Philippines. At the time it was passed a provision was made that only 1 percent could be expended for administration.

It has been found necessary to expend for administration considerably more than 1 percent in the settlement of damage claims. As was brought out in the hearings, the expenses incidental to the

settlement of an ordinary damage claim are usually between 6 and 8 percent of the amount involved. In this case, the administration proposes to increase the amount allowed for administrative expense to 4 percent as an over-all figure for the total amount of claims. The distinguished Senator from West Virginia is an attorney. Perhaps he has not settled claims of this kind, but undoubtedly he has had to do with the settlement of claims of some sort. I believe he will admit that an administrative cost of 4 percent is a reasonable charge for settlement.

Mr. REVERCOMB. The Senator from West Virginia has not settled any claims in the Philippine Islands. I wanted the record to show that a limit had been placed on the amount that might be used for administrative expenses.

Mr. BUTLER. That is correct. The amount allowed under the original act was 1 percent. It is now proposed to increase it to 4 percent.

Mr. REVERCOMB. I believe the amount involved is \$16,000,000.

Mr. BUTLER. That is correct.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UTILIZATION OF SURPLUS WAR DEPARTMENT OWNED REAL PROPERTY AS NATIONAL CEMETERIES

The Senate proceeded to consider the bill (S. 272) to provide for the utilization of surplus War Department owned military real property as national cemeteries, when feasible, which had been reported from the Committee on Public Lands with an amendment, on page 2, line 7, after "cemeteries.", to insert "No national cemetery established pursuant to this act shall have an area in excess of 640 acres."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That when the Secretary of War determines that there is need for an additional cemetery or cemeteries for the burial of members of the armed forces of the United States dying in the service or former members whose last discharge therefrom was honorable and certain other persons as provided for by existing law (24 U. S. C. 281), he is authorized to utilize, when practicable, federally owned lands under the jurisdiction of the War Department for military purposes and not needed for such purposes for the establishment thereon of a national cemetery or cemeteries.

SEC. 2. Upon the selection by the Secretary of War of such land, as provided in section 1 hereof, the Secretary of War is authorized and directed to establish thereon national cemeteries and to provide for the care and maintenance of such cemeteries. No national cemetery established pursuant to this act shall have an area in excess of 640 acres.

SEC. 3. The Secretary of War is authorized to prescribe such regulations as he may deem necessary for the administration of this act.

SEC. 4. There are hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry into effect the purposes of this act.

which is a critical examination of Government-owned hydroelectric projects in the Southwest (pp. 6765-7).

5. EXPENDITURES. Rep. Rich, Pa., urged decreases in Government expenditures (p. 6768).
6. MINERALS. The Public Lands Committee reported with amendments H.R. 3022, to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulphur on U.S. lands (H.Rept. 550) (p. 6822).
7. RECLAMATION. Received a San Francisco, Calif., petition urging sufficient funds for development of the Central Valley Project (p. 6823).
8. FOREST PRODUCTS. The subcommittee of the Public Lands Committee ordered reported* to the full committee H.R. 2161, to extend operation for three years and increase appropriation authorizations of demonstration plants producing synthetic liquid fuels from coal, oil, shales, agricultural and forestry products, and other substances (p. D352).

* Copies of the bill and report will not be available until the bill is actually reported, when this Digest will include a statement to that effect.

SENATE

9. AGRICULTURAL APPROPRIATION BILL, 1948. The Senate hearings on the Agricultural Appropriation Bill are to begin at 10:00 a.m., June 12, 1947. The hearings will not be held in the regular committee room, but rather in Room 82, located on the first floor off the small rotunda on the Senate side.
10. TRANSPORTATION. Began debate on S. 110, to amend the ICC act regarding agreements between carriers (pp. 6746-57).
11. APPROPRIATIONS. Sen. Young, W. Dak., inserted a resolution of the Barnes County (N. Dak.) Commissioners, and a Fargo (N. Dak.) Forum editorial, opposing cuts in appropriations for agricultural conservation payments, school-lunch program, REA, and FHA; and a resolution of the W. Dak. Farm Bureau outlining their proposals for action on the overall farm program (pp. 6744-6).
Sen. Capper, Kans., inserted a Kans. Farmers' Union letter protesting against reductions in appropriations for FHA's farm-ownership and production loans (pp. 6741-2).
12. PUERTO RICO. Sen. Tydings, Md., discussed the problems of Puerto Rico and inserted a table showing customs and taxes remitted to and expenditures made for the Insular Government, 1935 to 1944 (pp. 6757-8).
13. PRICES. Sen. Taylor, Idaho, read an article by Vardis Fisher, Idaho columnist, criticizing present day prices and profits as compared to earnings (pp. 6760-2).
14. NOMINATION. Received the nomination of Norman Armour to be an Assistant Secretary of State (p. 6762).
15. RECLAMATION. The Public Lands Committee approved with amendments S. 483, to relocate the boundaries and reduce the area of the Gila Federal Reclamation project (p. D350).

BILLS INTRODUCED

16. FARM LOANS. H.R. 3773, by Rep. Pace, Ga., to amend title I of the Bankhead-Jones Farm Tenant Act, so as to increase the interest rate on title I loans, to provide for the purchase of insured mortgages, to establish a redemption

period for nondelinquent insured mortgages, to authorize advances for the protection of the insured loan security. To Agriculture Committee. (p. 6822.)

17. ROADS. H.R. 3759, by Rep. Cunningham, Iowa, to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads." To Public Works Committee. (p. 6822.)
18. FISHERIES. H.R. 3767, by Rep. Tollefson, Wash., to provide for the protection, preservation, and extension of the sockeye salmon fishery of the Fraser River system. To Merchant Marine and Fisheries Committee. (p. 6822.)
19. SUBSIDIES. H.R. 3738. (see Digest 106) amends Public Law 88, 79th Cong., so as to permit RFC and other agencies having jurisdiction to make livestock subsidy payments retroactively to Oct. 26, 1943, to non-eligible slaughterers who have become eligible for such payments under amended regulations.

ITEMS IN APPENDIX

20. RURAL ELECTRIFICATION. Extension of remarks of Rep. Rankin, Miss., including statistics on the number of farms receiving electric service, and supporting increased REA loan funds (pp. A2867-70).
21. FERTILIZERS. Sen. Stewart, Tenn., inserted a Tenn. Farm Bureau News editorial favoring the national fertilizer policy bill, S. 1251 (p. A2875).
Rep. Snyder, W.Va., inserted a Knoxville (Tenn.) Journal editorial, "Socialization of the Fertilizer Industry" (pp. A2889-90).
22. GRAZING. Extension of remarks of Rep. Murdock, Ariz., urging the conduct of an experimental reseeding program for eroded, overgrazed western lands (pp. A2876-7).
23. FLOOD CONTROL. Rep. Passman, La., inserted his statement before the War Department Civil Functions Appropriations Subcommittee urging that funds be made available to continue a flood control project on the Texas Cocardie Sector, Red River Backwater Area (pp. A2890-1).
24. UN-AMERICAN ACTIVITIES. Rep. Thomas, N.J., inserted a report of the use made of the Un-American Activities Committee by Members of Congress and various Government agencies (pp. A2877-8).
25. HOUSING. Rep. Bradley, Calif., inserted a Los Angeles (Calif.) VFW resolution favoring the Taft-Ellender-Wagner housing bill. (pp. A2879-80).
26. SOIL CONSERVATION. Rep. Price, Ill., inserted a Lebanon (Ill.) Advertiser article reporting the advantages of soil conservation practices to 105 Ill. farmers (p. A2897).
27. LAND PRICES. Rep. Dolliver, Iowa, inserted a letter from the Iowa Chapter of the National Institute of Farm Brokers opposing any attempts to control the prices of farm lands in Iowa at this time (p. A2902).
28. APPROPRIATIONS. Rep. Trimble, Ark., inserted letters from Ark. PMA County Committees opposing cuts in appropriations for the agricultural conservation programs (pp. A2894-5).
29. PUBLIC DEBT. Sen. Sparkman, Ala., inserted an article by Roy A. Foulke, Dun and Bradstreet, Inc., favoring a balanced budget and reduction of the public debt (pp. A2881-2).

ing them, it is proper that they should be given an opportunity of doing so, and that the people of those States which have been disenfranchised on a subject of such vital importance to them should have their remedy through the Federal Government.

If it is argued that there will again be resistance to law by those who will refuse to abide by the decision of the majority in this matter and that the people are helpless to put their decisions on a high level of public policy into effect, I have only to point out that this amendment cannot become law without the will of a majority of the American people. And that as before, leaderless, the people themselves raised up leaders and devised techniques, so there is still in the genius of the American people when confronted with a problem, that power of creating techniques through the power and pressure of public opinion which will, once they have arrived at clear-cut conclusions and decisions on this question, bring about that effective enforcement which will not admit of their longer being balked in their desire to raise their children in healthy communities, free from the intrusions of offensive liquor advertising and the monopolization of public amusement by an utterly soulless traffic that delights to profit on the destruction of youth under the pretense of providing recreation.

We have practically succeeded in banning opium from the entire world.

I introduce, not the eighteenth amendment, but a resolution for a proposed amendment to the Constitution which includes the good features of both the eighteenth and twenty-first amendments and which I believe furnishes a framework within which that other narcotic drug, alcohol, that is destroying the American people, can be relegated to the shelves of the curious poisons of the Middle and Dark Ages.

This is not an exercise of Federal controls over the functioning of normal activities of the States but an exercise of the police power to ban completely the sale of a dangerous narcotic drug, similar to our present Federal control of opium.

SPECIAL ORDER

The SPEAKER. Under previous order of the House, the gentleman from Pennsylvania [Mr. EBERHARTER] is recognized for 20 minutes.

SPECIAL TAX STUDY GROUP NOT AUTHORIZED BY COMMITTEE ON WAYS AND MEANS

Mr. EBERHARTER. Mr. Speaker, the announcement of the appointment by the chairman of the Committee on Ways and Means of a Special Tax Study Committee came as a stunning surprise. The matter was never discussed by the committee—either in open hearings or executive session—and, as far as I know, the committee has not authorized the appointment of this or any other advisory committee of outside experts. The chairman of the committee has taken it upon himself frequently to make decisions that should have been reserved to the entire committee. But the star chamber procedure of making committee decisions in the Knutson private office must stop.

Under the Legislative Reorganization Act, each standing committee is required to keep a complete record of committee action. I charge that there is now in existence no record of any committee action authorizing the appointment of a special tax study committee. Since the chairman obviously has exceeded his authority, the tax study group has no official standing, and I shall strongly oppose any efforts to legitimize its present illegitimate status.

There are several reasons for my opposition to giving any official status to this outside advisory group:

First. The committee already has the constant and able advice of the Chief of Staff of the Joint Committee on Internal Revenue Taxation, Mr. Colin Stam, and his competent staff of full-time tax experts. The Secretary of the Treasury has assured the committee that his staff, as well as the tax legislative counsel, Mr. Surrey, and the director of tax research, Mr. Shere, whose experience and capabilities are recognized among tax authorities throughout the country—will be available for consultation by the committee during the proposed revenue revision. The technical and administrative people of the Bureau of Internal Revenue are subject to our call. Mr. Stam, Messrs. Surrey and Shere, and internal revenue representatives, in order to obtain the recommendations of industry, agriculture, and labor on tax matters, already have held frequent conferences with taxpayers' groups on the subjects which the Committee on Ways and Means now has under consideration. Many of these taxpayers' groups, however, will present their problems directly to the committee in open hearings. Moreover, a staff of technical advisers has recently been added to assist the committee in its day-to-day activities. Whenever we go into executive session, therefore, to draft the tax bill, we shall have as much information and as proficient technical assistance as can be efficiently utilized. It is difficult to see what useful role a "special tax study committee" can perform. This group cannot sit on a full-time basis with the committee or with our professional staffs. A comprehensive revision of the Internal Revenue Code is a matter for continuous and painstaking study and draftsmanship and even the ablest and most objective advisory group of Federal tax specialists, on a part-time basis, would be nothing but a hindrance to the committee and its staffs.

Second. If an advisory committee is to be appointed, it should not be stacked with members whose views on tax matters are so openly one-sided. Roswell Magill, selected by Chairman KNUTSON to head the advisory group, and Mr. John W. Hanes were the two witnesses before the Committee on Ways and Means in favor of H. R. 1, which the minority report correctly described as "a discriminatory patchwork of political expediency, neither equitable, timely nor sound." At least four of the remaining members have at various times supported the enactment of a Federal sales tax.

Mr. J. Cheever Cowdin has for many years presented the tax views of the Na-

tional Association of Manufacturers to the Congress, while Dr. C. S. Duncan has been for 25 years an economist with the Association of American Railroads.

This tax study committee is overloaded with a group of reactionaries on tax matters. This hand-picking of the members renders utterly ridiculous Chairman KNUTSON's observation that the inclusion of several Democrats on the committee "will assure that the tax revision bill which we hope to bring out early in the next session will have the united support of both parties."

This episode is diabolical in its cleverness—but it is too slick to be palatable even to many Members of the Republican Party in Congress. The Knutson theory of Federal taxation is now revealed for all to see. As the author of H. R. 1 he advocates income-tax reduction which will result in an increase in take-home pay of 4 cents an hour to the \$4,000 man, but \$19 an hour for the \$300,000 man. To provide this bonanza for the rich, he now proposes a host of Federal excise or sales taxes which everybody knows falls heaviest on the poor.

I do not make these charges idly—for this intention of the Republican majority has been expressed several times in the current hearings of the Committee on Ways and Means. The final touch has been the affected air of impartiality through the appointment of this Special Tax Study Committee to pronounce the NAM benediction over the sordid scheme.

I serve notice that these efforts will not go unchallenged. Mr. Magill and his cohorts have no official status, and they should be given none. Should they ever appear in executive session of the Committee on Ways and Means, I shall raise a point of order. And if I am overruled on the point of order, I shall take the matter to the floor of the House. The Constitution vests the House of Representatives with exclusive power to originate revenue legislation. The House has delegated jurisdiction over tax measures to the Committee on Ways and Means. The people are entitled to the assurance that only their duly elected representatives, or properly selected professional employees of the Government, shall participate in the drafting of tax legislation. The taxing power so carefully restricted in the Constitution should not surreptitiously be delegated to, or subverted by, small groups representing their own selfish interests.

EXTENSION OF REMARKS

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD and include an editorial from the Bridgeport Post of June 5.

ENROLLED BILL SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H. R. 3020. An act to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal respon-

sibilities of labor organizations and employers, and for other purposes.

BILL PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill of the House of the following title:

H. R. 3020. An act to amend the National Labor Relations Act, to provide additional facilities for the mediation of labor disputes affecting commerce, to equalize legal responsibilities of labor organizations and employers, and for other purposes.

ADJOURNMENT

Mr. CANFIELD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 58 minutes p. m.), under its previous order, the House adjourned until tomorrow, Tuesday, June 10, 1947, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred, as follows:

772. A letter from the President, Board of Commissioners, District of Columbia, transmitting a draft of a proposed bill to authorize the official shorthand reporters of the municipal court for the District of Columbia to collect fees for transcripts, and for other purposes; to the Committee on the District of Columbia.

773. A letter from the Attorney General, transmitting a report reciting the facts and pertinent provisions of law in the cases of 127 individuals whose deportation has been suspended for more than 6 months under the authority vested in the Attorney General, together with a statement of the reason for such suspension; to the Committee on the Judiciary.

774. A letter from the President, Board of Commissioners, District of Columbia, transmitting a report entitled "A Parking Program for Washington"; to the Committee on the District of Columbia.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JENSEN: Committee on Appropriations. H. R. 3756. A bill making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes; without amendment (Rept. No. 544). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 3106. A bill to reenact and amend the Organic Act of the United States Geological Survey by incorporating therein substantive provisions confirming the exercise of long-continued duties and functions and by redefining their geographic scope; without amendment (Rept. No. 548). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 2878. A bill to amend the act approved May 18, 1928 (45 Stat. 602), as amended, to revise the census roll of the Indians of California provided for therein; with amendments (Rept. No. 549). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 3022. A bill to promote the mining of

coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States; with amendments (Rept. No. 550). Referred to the Committee of the Whole House on the State of the Union.

Mr. WOLCOTT: Committee on Banking and Currency. S. 1230. An act to amend sections 2 (a) and 603 (a) of the National Housing Act, as amended; with an amendment (Rept. No. 551). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FELLOWS: Committee on the Judiciary. H. R. 553. A bill for the relief of Arsenio Acacio Lewis; with an amendment (Rept. No. 545). Referred to the Committee of the Whole House.

Mr. WELCH: Committee on Public Lands. H. R. 1486. A bill to authorize and direct the Secretary of the Interior to issue to Alice Scott White a patent in fee to certain land; with an amendment (Rept. No. 546). Referred to the Committee of the Whole House.

Mr. WELCH: Committee on Public Lands. H. R. 2451. A bill authorizing the Secretary of the Interior to issue a patent in fee to Erle E. Howe; with an amendment (Rept. No. 547). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. JENSEN:

H. R. 3756. A bill making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes; to the Committee on Appropriations.

By Mr. BEALL:

H. R. 3757. A bill to exempt from the manufacturers' excise tax certain articles sold to fire-fighting companies not organized for profit; to the Committee on Ways and Means.

By Mr. CASE of South Dakota:

H. R. 3758. A bill to create or establish a memorial to Chief Sitting Bull; to the Committee on Public Lands.

By Mr. CUNNINGHAM:

H. R. 3759. A bill to amend the act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916, as amended and supplemented, and for other purposes; to the Committee on Public Works.

By Mr. CURTIS:

H. R. 3760. A bill to amend section 22 (b) (6) of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. FORAND:

H. R. 3761. A bill to raise the limit on the amount of annual income from other sources which may be received by the widow or child of a veteran of World War I or II without disqualifying such widow or child for a pension for the non-service-connected death of such veteran; to the Committee on Veterans' Affairs.

By Mr. JAVITS:

H. R. 3762. A bill to provide for research relating to diseases of the heart and circulation and to aid in the development of more effective methods of prevention, diagnosis, and treatment of such diseases, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. LANDIS:

H. R. 3763. A bill to amend the Federal Food, Drug, and Cosmetic Act; to the Committee on Interstate and Foreign Commerce.

By Mr. MADDEN:

H. R. 3764. A bill to raise the minimum wage standards of the Fair Labor Standards Act of 1938; to the Committee on Education and Labor.

By Mr. PRICE of Florida:

H. R. 3765. A bill relating to the sale of Paxon Field, Duval County, Fla.; to the Committee on Expenditures in the Executive Departments.

By Mr. McCORMACK:

H. R. 3766. A bill to raise the minimum wage standards of the Fair Labor Standards Act of 1938; to the Committee on Education and Labor.

By Mr. TOLLEFSON:

H. R. 3767. A bill to provide for the protection, preservation, and extension of the sockeye salmon fishery of the Fraser River system, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. BOGGS of Delaware:

H. R. 3768. A bill to amend section 3469 (b) of the Internal Revenue Code to provide that the tax imposed on the transportation of persons shall not apply to transportation on boats for fishing purposes; to the Committee on Ways and Means.

By Mr. CUNNINGHAM:

H. R. 3769. A bill to provide that membership in the National Guard shall not disqualify a person from serving as a part-time referee in bankruptcy; to the Committee on the Judiciary.

By Mr. FARRINGTON:

H. R. 3770. A bill to amend the Hawaiian Organic Act so as to reduce the residence qualification in divorce proceedings from 2 years to 1 year; to the Committee on Public Lands.

H. R. 3771. A bill to provide for the admission to citizenship of certain noncitizen parents of persons who served in the armed forces of the United States, or in the merchant marine, in World War II; to the Committee on the Judiciary.

By Mr. ROGERS of Florida:

H. R. 3772. A bill to amend the Servicemen's Readjustment Act of 1944, as amended, so as to permit adjustment of benefits authorized by section 1506 thereof and similar benefits extended by governments allied with the United States in World War II; to the Committee on Veterans' Affairs.

By Mr. PACE:

H. R. 3773. A bill to amend title I of the Bankhead-Jones Farm Tenant Act, as amended, so as to increase the interest rate on title I loans, to provide for the purchase of insured mortgages, to establish a redemption period for nondelinquent insured mortgages, to authorize advances for the protection of the insured loan security, and for other purposes; to the Committee on Agriculture.

By Mr. BRYSON:

H. J. Res. 213. Joint resolution proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. MEADE of Maryland:

H. J. Res. 214. Joint resolution to provide for the designation of the Veterans' Administration hospital at Baltimore, Md., as the Pfc. Carl V. Sheridan Hospital; to the Committee on Veterans' Affairs.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER: Memorial of the Legislature of the State of Connecticut, ratifying the proposed amendment to the Constitution of the United States relating to the terms of office of the President; to the Committee on the Judiciary.

PROMOTING THE MINING OF COAL, PHOSPHATE, SODIUM, POTASSIUM, OIL, OIL SHALE, GAS, AND SULFUR ON LANDS ACQUIRED BY THE UNITED STATES

JUNE 9, 1947.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. WELCH, from the Committee on Public Lands, submitted the following

REPORT

[To accompany H. R. 3022]

The Committee on Public Lands, to whom was referred the bill (H. R. 3022), to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

On line 9, page 2, immediately following the word "Aets.," the following sentence should be added: "'Lease' includes 'prospecting permit' unless the context otherwise requires." On line 11, page 2, immediately following the word "deposits.," the following phrase should be added:

by foreclosure or otherwise for resale, or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U. S. C., sec. 1611 and the following),

Beginning with the last word on line 18 of page 2, all should be deleted to and including the word "hereof." appearing on line 20, page 2, and the following substituted therefor:

leased by the Secretary under the same conditions as contained in the leasing provisions of the mineral leasing laws, subject to the provisions hereof.

On line 7, page 3, all after the period should be deleted.

All of lines 8, 9, 10, 11, 12, and 13, page 3 should be deleted.

On line 24, page 4, the words "disposed of in accordance" should be deleted and the phrase "deposited in a special fund in the Treasury until final disposition thereof by the Congress." should be substituted therefor.

All of lines 1 and 2 of page 5 should be deleted.

On line 7, page 5, the phrase "shall furnish to him" should be deleted and the word "and" substituted therefor.

On line 9, page 6, the word "its" should be deleted and the word "their" substituted therefor.

All of lines 10, 11, 12, 13, and the first word of line 14 should be deleted and the following substituted therefor:

who, on the date of this Act, had pending an application for an oil and gas lease for any lands which on the date the application was filed was not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands without competitive bidding.

EXPLANATION OF THE BILL

The purpose of this bill is to promote and encourage the development of the ore, gas, and other minerals on the aequired lands of the United States on a uniform basis under the jurisdiction of the Department of the Interior.

The Department of the Interior, under the Leasing Act of 1920, as amended, has had long experience in the leasing of lands for oil, gas, and other minerals on the public domain. In 27 years, it has assembled the necessary personnel to handle the many administrative, legal, and technical problems presented under that act. The purpose of this bill is to grant to the Interior Department jurisdiction to lease acquired lands of the United States including those in Alaska, under the same conditions as contained in the leasing provisions of the Mineral Leasing Act; provided that no mineral deposit shall be leased except with the consent of the head of the executive department, independent establishment, or instrumentality having jurisdiction over the lands containing such deposit, in order that any lease issued will be on such conditions as will insure the adequate utilization of the lands for the primary purpose acquired.

In the interest of economy, the bill eliminates several agencies now engaged in the leasing of acquired lands for oil and gas, and centralizes this function in the Department of the Interior. The proposed legislation extends the mineral leasing laws now applicable to public domain lands, to all acquired lands, with certain exceptions. It authorizes the leasing of fractional and future interests in minerals which have been or may be acquired by the United States. The exceptions cover lands in incorporated cities, towns, and villages, national parks or monuments, or lands set apart for military or naval purposes.

With the exception of making sales of acquired lands subject to any mineral lease outstanding at the time of sale, the bill would not affect such sales nor would it authorize any reservation of minerals in the conveyance of any acquired lands other than those now authorized by law.

Under the proposed act, receipts would be disposed of in the same manner as other receipts on account of nonmineral uses of the same land, and protection is also afforded for safeguarding outstanding rights. This bill likewise provides that regulations issued under the mineral leasing laws shall apply insofar as possible.

The bill is designed to stimulate the exploration of new petroleum reserves, and to promote the development of oil and gas on acquired lands in line with the recommendation of the Secretary of the Interior in his Annual Report for 1946, which states (p. 32):

The management of all the minerals in all the Federal lands should be in the experienced mineral agencies in Interior, rather than in several separate Federal departments. Certain changes in the mineral leasing laws should be considered by Congress.

The Special Senate Committee Investigating Petroleum Resources in its report, dated January 31, 1947 (p. 49), recommended as follows:

In addition to the public-domain lands within the United States, the Federal Government also owns extensive areas commonly referred to as "acquired lands." * * * These lands are not subject to the mineral leasing laws covering the public-domain lands. Some of the acquired lands have been leased for oil or gas development, but it is clear from evidence presented to the committee that exploration of acquired lands has been retarded (a) by lack of statutory authority to lease, (b) by divided jurisdiction among various departments of Government, and (c) by a want of uniformity in policy and leasing procedure. The Senate should give early consideration to the various postwar problems arising from the large amount of recently acquired lands, both as to their disposal and to their mineral deposits.

This bill does not provide for the leasing or disposition of gold, silver, copper, or other solid or metalliferous minerals, but applies only to the leasing of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur in acquired lands. The committee agreed with the views of the Senate Committee on Public Lands (as expressed in S. Rept. 161, 80th Cong., 1st sess. on S. 1081) that minerals other than those covered by this bill should be considered as an entirely separate matter, inasmuch as the drilling for and the extraction of oil and gas and other minerals referred to in this bill differ greatly, from a practical and operating standpoint, from the mining of solid or metalliferous minerals.

The committee has considered the question as to whether this bill would be applicable to, or in any way affect, the so-called tidelands or submerged lands. The ownership of such lands has been the subject of litigation, which is now pending for decision in the Supreme Court of the United States (No. 12 original in the Supreme Court of the United States, October term 1946, *United States of America, Plaintiff, v. State of California, Defendant*). It is the judgment of this committee that this bill should not and does not apply to the tidelands or submerged lands, and it is not intended that such lands would be considered as "acquired lands," as defined by section 2 of this bill.

The Interior Department, among other things, suggested an amendment to section 3 of the bill, which was adopted. As amended, the section begins with the words:

Except where lands have been acquired by the United States for development of mineral deposits by foreclosure or otherwise for resale or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U. S. C., sec. 1611 et seq.).

At the time of the hearing on the bill, it was suggested that the word "mineral" in the above quotation be stricken and the word "helium" inserted therefor. Representatives of the Department of the Interior and the committee agreed, however, that the word "mineral," in this instance, should apply only to helium, fissionable materials, or any other mineral absolutely essential to the defense of the country, but excluding the minerals specifically mentioned in the bill. In the light of this understanding, the committee decided to retain the foregoing amendment as recommended.

The committee has amended the bill to provide that all moneys received under the terms of this act from submarginal lands, obtained

by the Federal Government for other purposes, and which were assigned to Indians for use by Executive order, shall be held intact in the United States Treasury until such time as Congress enacts legislation determining final disposition of these funds.

Reports from the Department of the Interior and the Department of Agriculture furnished further detailed information concerning this legislation. These departmental reports are made a part of this report and are as follows:

DEPARTMENT OF AGRICULTURE,
Washington, May 12, 1947.

HON. RICHARD J. WELCH,

Chairman, Committee on Public Lands, House of Representatives.

DEAR MR. WELCH: This is in further reply to your request of May 2, 1947, for a report on H. R. 3022, a bill to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

The bill would, in effect, apply the principles of the mineral leasing laws to the enumerated minerals on lands acquired by the United States. The Department of Agriculture administers some 30,000,000 acres of such lands. These lands were acquired by the United States, mainly through purchase, in furtherance of a variety of public purposes—retirement of lands unsuited for cultivation and their protection and development for soil conservation, watershed protection, and for forest, range, wildlife, and recreational uses. The lands are not confined to the West but are located throughout the United States. The public has invested large sums in their acquisition, development, and management.

The Department of Agriculture, while fully recognizing the need for legislation to cover the disposal of minerals in acquired lands, believes that H. R. 3022 does not adequately take account of all of the problems that are involved. Specifically, we are opposed to the enactment of H. R. 3022 for the following reasons:

(1) The bill would authorize the leasing of only certain enumerated minerals. With respect to some acquired lands there is at present no statutory authority for disposal of other minerals and with respect to certain other of these lands such authority is vested in the Secretary of Agriculture. This situation should be corrected once and for all by enactment of legislation which would authorize the Secretary of the Interior to manage and dispose of all of the mineral resources in acquired lands.

As a matter of public policy, this Department believes that disposal of all minerals in acquired lands should be by lease or permit and should provide reasonable safeguards to protect the public interest in the primary purposes for which these lands were acquired and are being administered and provide equitable returns on the public investment.

(2) In administering the minerals in the acquired lands to which H. R. 3022 would apply, the Department of Agriculture has consistently followed the practice of leasing through competitive bidding minerals in which a competitive interest was evident. As a result of this practice, in the 2 years ending July 1946, the Department of Agriculture obtained approximately \$3,200,000 in bonuses alone from leases, principally for oil and gas, on lands which although of a competitive nature were not within any known structure of a producing oil or gas field. Approximately 25 percent of these receipts was returned to the States and counties in which the lands are situated in accordance with statutory requirement for the support of public improvements and services. Under the provisions of H. R. 3022, which would apply the nominal filing fee provisions of the Mineral Leasing Acts to such lands, this important source of revenue would be eliminated.

(3) A further effect of the enactment of H. R. 3022 would be to greatly reduce receipts from rental payments on oil and gas leases on acquired lands of this Department. Such receipts for the past several years have totaled approximately \$250,000. These receipts were based on a graduated rental scale of 25 cents, 50 cents, 75 cents, and \$1 for the first, second, third, and fourth and each subsequent lease year, respectively, with the rental becoming \$1 per year subsequent to production except for leases issued prior to June 16, 1944, which carried a uniform \$1 per acre rental. Had the rental provisions of the Mineral Leasing Acts been applicable to these leases, as provided in H. R. 3022, the United States might well have received only one-fifth of the \$250,000 or \$50,000 and the share going to the States and counties would have been reduced proportionately.

It is estimated that in fiscal year 1948 on national forest lands alone, under leases which were issued by this Department, the United States will receive about

\$100,000 in rentals, of which the States and counties will receive 25 percent. Enactment of section 9 of the bill would authorize the exchange of all such leases for new leases issued under the provisions of the act. By placing such leases within the purview of the mineral leasing laws there would be an anticipated reduction in rentals alone due the United States of approximately \$75,000 for fiscal year 1948. For fiscal year 1949, the reduction might be even greater because of the graduated scale of rentals placed in effect by this Department to discourage speculation and encourage development. Correspondingly, the receipts payable to the States for the benefit of the counties in which the national forests are situated would suffer in direct proportion.

Further, there are now pending in the Bureau of Land Management, of the Department of the Interior, some 150 applications for lease of national forest lands under the President's Reorganization Plan No. 3 of 1946. These applications for the most part embrace 2,560 acres each. If the leasing provisions of the mineral leasing laws are made applicable to these lands and the mineral deposits are disposed of through noncompetitive procedure, it is estimated that the loss in revenue to the United States, the States and their political subdivisions might well be several million dollars.

(4) This Department is opposed to the provisions of section 7 of H. R. 3022. These records, in large measure, are maintained at the field offices of the agencies of this Department where they are needed in the day-to-day administration of the land and its resources, other than mineral. The transfers contemplated in this section would risk the loss of irreplaceable records. Their volume aggregates several thousand tons and the mere problem of assembly and transportation would be formidable. It is estimated that reproduction or duplication of the records would be an extremely costly job and would involve several years of work. It is felt preferable to restrict the supplying of records or information to lands for which specific leasing applications have been received. Such an arrangement is already in satisfactory operation with respect to applications for mineral leases on lands subject to the President's Reorganization Plan No. 3 of 1946.

This Department has recognized the desirability of placing the administration of all mineral deposits under the jurisdiction of one agency with adequate statutory authority for their management and appropriate disposal. It is strongly opposed, however, to the enactment of H. R. 3022 which would apply the too generous public domain disposal policies to lands acquired for particular public purposes at considerable public expense and administered by this Department pursuant to important and well-established objectives. The loss of revenue involved is of special significance now that the need for balancing the Federal budget is so great.

In the Seventy-eighth Congress there was introduced a bill, S. 736, to promote the mining of minerals on lands acquired by the United States. In its original form the bill was not acceptable to this Department, but following a long series of conferences and discussions with representatives of the Department of the Interior there was evolved a revision of the bill mutually acceptable to both Departments.

Enclosed for your consideration as a proposed substitute for H. R. 3022 is a draft of a bill which is substantially the same as that agreed upon by this Department and the Department of the Interior in their consideration of S. 736.

It provides for the leasing of deposits of coal, phosphate, sodium, potassium, oil, oil shale, gas, sulfur, and all other minerals and mineral resources on lands acquired by the United States. Enactment of this draft bill which this Department recommends would provide statutory authority for the development, under a leasing or permit system, of all minerals in acquired lands in the United States, Alaska, and Puerto Rico, with adequate provision for harmonizing such development with the primary purposes for which the lands were acquired and are being administered and for assuring the public a fair return from the disposal of the minerals.

The bill would except from its provisions certain lands which obviously are not suitable for mineral development such as military lands and surplus lands subject to early disposal.

In view of the time limitation, we have not obtained from the Bureau of the Budget advice as to the relationship of this proposed legislation, or report thereon, to the program of the President.

Sincerely,

CHARLES F. BRANNAN,
Assistant Secretary.

A BILL To promote the mining of minerals on lands acquired by the United States

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all mineral deposits belonging to the United States or to wholly Federally owned or controlled corporations which are situated in lands, including lands in Alaska and Puerto Rico, exclusive of mineral deposits in lands situated within incorporated cities, towns and villages, or in lands set apart for military or naval uses or for national parks or monument uses, or in lands held for disposal under the Surplus Property Act of 1944 and acts amendatory thereof or supplementary thereto, shall be subject to disposal under the jurisdiction of the Secretary of the Interior (hereinafter called the "Secretary"), in accordance with the provisions of this Act: *Provided, however,* That no mineral deposit covered by this section shall be leased or otherwise disposed of except with the consent of the head of the executive department, independent establishment, or instrumentality having jurisdiction over the lands containing such deposit, or holding a mortgage or deed of trust secured by such lands which is unsatisfied of record, and subject to such conditions as that official may prescribe to insure the adequate utilization of the lands for the primary purposes for which they have been acquired or are being administered: *And provided further,* That minerals in lands set apart for Indian use, including lands the jurisdiction over which has been transferred to the Department of the Interior by Executive Order for Indian use, shall be subject to the Act entitled "An Act to regulate the leasing of certain Indian Lands for mining purposes," approved May 11, 1938 (52 Stat. 347, 25 U. S. C. secs. 396a-396f).

SEC. 2. Nothing herein contained shall be deemed or construed to amend, modify or change any existing law authorizing or requiring the sale of acquired lands, or the reservation or sale of mineral deposits therein.

SEC. 3. As used in this Act, the term "mineral leasing laws" shall mean the Act of October 20, 1914 (38 Stat. 741), the Act of February 25, 1920 (41 Stat. 437), the Act of April 17, 1926 (44 Stat. 301), the Act of February 7, 1927 (44 Stat. 1057), and laws amendatory thereof or supplementary thereto.

SEC. 4. All deposits of coal, phosphate, oil, oil shale, gas, sodium, potassium, and sulphur which are owned by the United States and which are within the lands affected by this Act may be leased by the Secretary under the leasing provisions of the mineral leasing laws, subject to the provisions of section 1 hereof: *Provided, however,* That mineral deposits in acquired lands, where a competitive interest is shown to exist, as determined by the Secretary, shall be offered for lease only through competitive bidding to the responsible qualified bidder of the highest bonus in the form prescribed by the Secretary: *And provided further,* That the provisions of the Act of April 17, 1926 (44 Stat. 301), as amended, shall apply to deposits of sulphur covered by this Act wherever situated.

SEC. 5. With the exception of deposits of the minerals named in section 4, all mineral deposits which are owned by the United States and which are within the lands affected by this Act may be leased by the Secretary under the provisions of sections 6 to 10, inclusive, of this Act, subject to the provisions of section 1 hereof. The provisions of sections 6 to 10, inclusive, shall apply only to the mineral deposits covered by this section, except that the acreage provisions of section 6 shall extend also to the deposits covered by section 4 of this Act.

SEC. 6. Leases for mineral deposits wherein a competitive interest is shown to exist, as determined by the Secretary, shall be issued only through competitive bidding to the responsible qualified bidder of the highest bonus in the form prescribed by the Secretary. Such deposits shall be offered for bidding in units of not to exceed 640 acres except that where, in the opinion of the Secretary, the inclusion of a larger area would promote the economic development of isolated tracts, or would otherwise be in the best interests of the United States, such deposits may be offered for bidding in units of not to exceed 2,560 acres. Any such lease offer shall reserve to the Secretary the right to reject any or all bids whenever, in his judgment, the interests of the United States so require. Leases for lands which require prospecting to determine whether they contain commercially valuable mineral deposits may be issued with or without competitive bidding in units of not to exceed 2,560 acres. All leases shall be issued upon such terms and conditions, consistent with the provisions of this Act, as are determined by the Secretary to be in the best interests of the United States. Leases may provide for resort to appropriate methods for the settlement or compromise of disputes or debts thereunder by the Secretary or otherwise, and for remedies for breach of specified conditions thereof. The acreage covered by a lease shall be in a reasonably compact form.

SEC. 7. Leases shall be issued only to citizens of the United States, associations of such citizens, or corporations organized under the laws of the United States or of any State or Territory thereof. Citizens, associations, and corporations of a foreign country, the laws, customs, or regulations of which do not accord similar or like privileges to citizens, associations, or corporations of this country, shall not by stock ownership, stockholding, stock control, or other direct or indirect means, own or control any interest in a lease.

No person, association, or corporation shall take or hold at any one time leases for deposits of any one mineral in any one State or Territory underlying more than 7,680 acres in the aggregate. No person, association, or corporation shall take or hold at any one time any interest as a member of an association or as a stockholder of a corporation holding a lease, which, together with the area embraced in any direct holding of a lease, or which, together with any other interest as a member of an association or as a stockholder of a corporation holding a lease, exceeds in the aggregate 7,680 acres for any one mineral in any one State or Territory. The Secretary may prescribe a lower maximum acreage for any specific mineral in any area, or for the country as a whole, if he shall find that such action is required to conserve resources or to prevent monopoly or otherwise to protect the public interests.

Any ownership or interest forbidden in this section which may be acquired by descent, will, judgment, or decree may be held for two years and not longer after its acquisition.

If an interest in any lease is owned or controlled in violation of this section, the lease may be canceled, or the person, association, or corporation so owning or controlling the interest may be compelled to dispose of the interest, in an appropriate proceeding instituted by the Attorney General. Such a proceeding shall be instituted in the United States district court for the district in which the leased property or some part thereof is located or in which the lease owner may be found.

SEC. 8. Each lease shall be issued for a period of ten years with a preferential right in the lessee to renew the same before its expiration for successive periods of ten years, upon such reasonable terms and conditions as may be prescribed by the Secretary, unless otherwise provided by law at the time of the expiration of such lease or renewal. The Secretary may permit suspension of operations in whole or in part under any lease, and the payment of rental may be waived in whole or in part during such period of suspension. The amount of work to be done or investment required during each year of the lease shall be prescribed in the lease or in the regulations promulgated under this Act.

Each lease shall be conditioned (1) upon the payment of a royalty of not less than 5 per centum of the value of the mineral products at the point of shipment to market, or (2) upon the payment of a royalty of not less than 5 per centum of the net returns from the processing plant or smelter or mint if the mineral substances are shipped as ore for processing or as concentrates for smelting or as bullion for minting. Such royalties shall be due and payable quarterly. The Secretary may elect to take payments of royalties in kind.

Each lease shall also be conditioned upon the payment of a rental for each calendar year, or portion thereof, during the continuance of the lease, at a rate of not less than 25 cents per acre per annum. Such rental shall be due and payable annually in advance. The rental paid on a lease for any year shall be credited against the royalty as it accrues for that year.

SEC. 9. Each lease shall contain provisions requiring the exercise of reasonable diligence, skill, and care in the operation of the leased property; requiring the observance of such rules for the safety and welfare of miners and for the prevention of undue waste as may be prescribed by the Secretary; prohibiting a work day in excess of eight hours in any one day for underground workers except in cases of emergency; prohibiting the employment of any boy under the age of sixteen or the employment of any girl or woman, without regard to age, in any mine below the surface; securing to the workmen complete freedom of purchase; and requiring the payment of wages at least twice a month in lawful money of the United States or in negotiable checks on banks, of even date with the pay day, payable without discount and on demand in lawful money of the United States. Each lease shall also contain such conditions as the agency having jurisdiction over the lands shall prescribe to insure the adequate utilization of the lands for the primary purposes for which they have been acquired or are being administered and such other provisions as the Secretary may deem necessary to insure the sale of the products of the leased property to the United States and to the public at reasonable prices, to protect the interests of the United States, to prevent monopoly, and to safeguard the public welfare.

SEC. 10. Any lease issued pursuant to section 5 hereof may be assigned, sublet or relinquished in the same manner and to the same extent as a lease on deposits, other than oil or gas, covered by section 4 of this Act. The Secretary may provide for the refund or collection of rentals on a pro rata monthly basis for the period of the year prior to the filing of a relinquishment or surrender.

SEC. 11. Any lease issued pursuant to section 4 or section 5 of this Act under which commercial production has not been obtained may be canceled by the Secretary upon a determination by him or upon a certification by the agency having jurisdiction over the leased lands that the lease owner has failed to comply with any of the provisions of this Act, of the lease, or of the regulations promulgated under this Act and in force at the date of the lease or any renewal thereof. Before the lease is canceled, the Secretary shall give the lease owner notice to show cause within a reasonable time, not less than 30 days, why the lease should not be canceled. Such notice in advance of cancellation shall be sent the lease owner by registered letter directed to the lease owner's record post office address. In case such letter shall be returned as undelivered, such notice shall also be posted for a reasonable period, not less than 30 days, specified by the Secretary, in the United States Land Office for the district in which the land covered by such lease is situated, or in the event that there is no such office in the State or Territory in which the leased land is situated, then in the post office nearest such land.

Any lease issued pursuant to section 4 or section 5 of this Act under which commercial production has been obtained may be canceled in an appropriate proceeding instituted by the Attorney General upon a determination by the court that the lease owner has failed to comply with any of the provisions of this Act, of the lease, or of the regulations promulgated under this Act and in force at the date of the lease or any renewal thereof. Such a proceeding shall be instituted in the United States District Court for the district in which the leased property or some part thereof is located or in which the lease owner may be found.

SEC. 12. Under section 4 or section 5 of this Act the Secretary may issue separate leases for the concurrent development of deposits of different minerals underlying the same lands, but where several minerals occur in association or conjunction, whether in the same vein or stratum or otherwise, the holder of a lease covering any one or more of such minerals may be granted the right to mine any or all of the minerals so associated or conjoined, upon terms and conditions consistent with the provisions of this Act. Under section 4 or section 5 of this Act the Secretary may also issue leases for the development of fractional or future interests belonging to the United States in mineral deposits without regard to the minimum rental requirements prescribed or made applicable by this Act, or may enter into agreements with the owners of other interests in the same property for the development of such deposits upon those terms and conditions which he may deem appropriate.

SEC. 13. The Secretary may grant, either with or without competitive bidding, temporary use permits for the mining and removal of deposits of limestone, common stone, rock, sand, gravel, clay, and other materials for construction or agricultural uses which are owned by the United States and which are within the lands affected by this Act, subject to the provisions of section 1 hereof. No person, association, or corporation who is not qualified to take or hold a lease under section 4 or section 5 of this Act shall be eligible to take or hold a temporary use permit under this section except as hereinafter provided. Such permits shall be for a period of not exceeding one year and for an area of not exceeding 640 acres in a reasonably compact form; shall be conditioned upon the payment of a royalty of not less than 5 per centum of the value of the limestone, common stone, rock, sand, gravel, clay, or other materials removed and upon the payment of a rental in advance, to be credited against the royalty, at a rate of not less than 25 cents per acre per annum; shall be subject to such conditions as the agency having jurisdiction over the lands shall prescribe to insure the adequate utilization of the lands for the primary purposes for which they have been acquired or are being administered, and to such other terms and conditions as are determined by the Secretary to be in the best interests of the United States; and shall be subject to revocation by the Secretary after 30 days' notice upon failure of the permittee to comply with any of the provisions of this Act, of the permit, or of the regulations promulgated under this Act: *Provided, however,* That the Secretary or his representative may, in his discretion, permit, with or without charge and upon such terms and conditions as he may deem to be in the public interest, the mining and removal of the deposits described in this section if the materials removed are to be used in connection with mining operations carried

on under the authority of this Act: *And provided further*, That the head of any agency or his representative having jurisdiction over the surface of the lands containing coal or mineral deposits covered by this section or holding a mortgage or deed of trust secured by such lands which is unsatisfied of record, may in his discretion permit, with or without charge and upon such terms and conditions as he may deem to be in the public interest, the mining and removal of the deposits described in this proviso if the materials removed are to be used for construction, repair, operation, or maintenance in connection with any public project or reservation, or for roads or streets within or in the vicinity of any such project or reservation, or if such materials are to be used by any resident within the project or reservation or in the vicinity thereof for agricultural purposes or in the construction, repair, operation, or maintenance of improvements upon lands owned or occupied by such residents. The qualifications for taking or holding a lease under section 4 or section 5 of this Act shall not apply to permits issued under this proviso.

The term "mineral deposits" as used in the other sections of this Act shall be construed to include the deposits described in this section.

SEC. 14. No lease or permit issued under this Act shall confer any right to occupy, use, or impair the surface of any of the lands affected by this Act, or to remove, use, or injure any of the natural products thereof, except to the extent to which such right is expressly granted by the terms of such lease or permit, and no lessee or permittee shall exercise any surface right so granted for any purpose not reasonably incidental to the extraction, beneficiation, or disposition of the mineral deposits covered by his lease or permit. The Secretary may grant to any lessee or permittee under this Act such rights with respect to the occupancy, use, or impairment of the surface of the lands affected by this Act as he may deem necessary to facilitate the orderly and economic extraction, beneficiation, or disposition of the mineral deposits covered by this Act, subject to the provisions of section 1 hereof.

All leases and permits issued under this Act shall reserve to the United States (a) the right to grant such rights-of-way or easements (including easements in tunnels) upon, in, or through the lands covered by the lease or permit, for joint or several use, as may be appropriate to the working of such lands or of other lands containing mineral deposits subject to disposal under this Act or the mineral leasing laws, or to the treatment and shipment of the products of such lands by or under the authority of the United States, its lessees or permittees, or as may be needed for other public purposes; (b) the right to use, lease, sell, or otherwise dispose of, under existing laws or laws thereafter enacted, any mineral deposits or other substances whatsoever in the lands covered by the lease or permit other than those mineral deposits expressly included in the lease or permit; and (c) the right to use, lease, sell, or otherwise dispose of, under existing laws or laws thereafter enacted, the surface of the lands covered by the lease or permit, together with the natural products thereof, insofar as consistent with any surface rights granted the holder of the lease or permit under this Act. The Secretary may exercise the rights reserved to the United States by clauses (a) and (b) of this paragraph, subject to the provisions of section 1 hereof. The head of the executive department, independent establishment, or instrumentality having jurisdiction over the surface of the lands involved may exercise the rights reserved to the United States by clause (c) of this paragraph.

SEC. 15. The Secretary is authorized to prescribe such rules and regulations as are appropriate to the effectuation of the purposes of this Act, and to do any and all things necessary to carry out and accomplish the purposes of this Act. The Secretary may delegate to officers and employees of the Department of the Interior any of the powers vested in, or the functions to be performed by, the Secretary under this Act. All statements, representations, or reports required by the Secretary under this Act shall be upon oath, unless otherwise specified by him, and shall be in such form as the Secretary may require.

SEC. 16. All receipts derived from leases or permits issued under the authority of this Act shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease or permit, the intention of this provision being that this act shall not affect the distribution of receipts pursuant to legislation applicable to such lands: *Provided, however*, That receipts from leases or permits for minerals in lands set apart for Indian use, including lands the jurisdiction over which has been transferred to the Department of the Interior by Executive order for Indian use, shall be disposed of in accordance with the provisions of the Act of May 17, 1926 (44 Stat. 560, 25 U. S. C., sec. 155).

SEC. 17. The head of any executive department, independent establishment, or instrumentality having jurisdiction over any lands referred to in section 1 of this Act shall furnish to the Secretary the legal description of any of such lands, together with all pertinent abstracts, title papers and other documents in his possession, or duly authenticated copies thereof, concerning the status of the title of the United States to the mineral deposits therein, whenever the Secretary shall request such information as being necessary for the proper performance of his duties with respect to applications, leases, permits, or other proposals for mineral development arising under the provisions of this Act.

SEC. 18. Nothing contained in this Act shall be construed to affect the rights of the States or other local authorities to exercise any right which they may have with respect to properties covered by leases or permits issued under this Act, including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee or permittee of the United States.



80TH CONGRESS
1ST SESSION

H. R. 3022

[Report No. 550]

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1947

Mr. BARRETT introduced the following bill; which was referred to the Committee on Public Lands

JUNE 9, 1947

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Omit the part struck through and insert the part printed in italic]

A BILL

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Mineral Leasing Act for
4 Acquired Lands".

5 SEC. 2. As used in this Act "United States" includes
6 Alaska. "Acquired lands" or "lands acquired by the United
7 States" include all lands heretofore or hereafter acquired by

1 the United States to which the "mineral leasing laws" have
 2 not been extended, including such lands acquired under the
 3 provisions of the Act of March 1, 1911 (36 Stat. 961, 16
 4 U. S. C., sec. 552). "Secretary" means the Secretary of
 5 the Interior. "Mineral leasing laws" shall mean the Act
 6 of October 20, 1914 (38 Stat. 741, 48 U. S. C., sec. 432);
 7 the Act of February 25, 1920 (41 Stat. 437, U. S. C.,
 8 sec. 181); the Act of April 17, 1926 (44 Stat. 301, 30
 9 U. S. C., sec. 271); the Act of February 7, 1927 (44 Stat.
 10 1057, 30 U. S. C., sec. 281), and all Acts heretofore or
 11 hereafter enacted which are amendatory of or supplementary
 12 to any of the foregoing Acts. "*Lease*" includes "*prospect-*
 13 *ing permit*" unless the context otherwise requires.

14 SEC. 3. Except where lands have been acquired by the
 15 United States for the development of the mineral deposits,
 16 *by foreclosure or otherwise for resale, or reported as surplus*
 17 *pursuant to the provisions of the Surplus Property Act of*
 18 *October 3, 1944 (50 U. S. C., sec. 1611 and the following),*
 19 all deposits of coal, phosphate, oil, oil shale, gas, sodium,
 20 potassium, and sulfur which are owned or may hereafter be
 21 acquired by the United States and which are within the lands
 22 acquired by the United States, exclusive of such deposits
 23 in such acquired lands as are situated within incorporated
 24 cities, towns and villages, national parks or monuments, or
 25 set apart for military or naval purposes, may be ~~disposed~~

1 of by the Secretary under the provisions of the mineral leas-
2 ing laws, subject to the provisions hereof *leased by the Secre-*
3 *tary under the same conditions as contained in the leasing*
4 *provisions of the mineral leasing laws, subject to the pro-*
5 *visions hereof.* The provisions of the Act of April 17,
6 1926 (44 Stat. 301), as heretofore or hereafter amended,
7 shall apply to deposits of sulfur covered by this Act wherever
8 situated. No mineral deposit covered by this section shall
9 be leased except with the consent of the head of the execu-
10 tive department, independent establishment, or instru-
11 mentality having jurisdiction over the lands containing
12 such deposit, or holding a mortgage or deed of trust
13 secured by such lands which is unsatisfied of record, and
14 subject to such conditions as that official may prescribe
15 to insure the adequate utilization of the lands for the primary
16 purposes for which they have been acquired or are being
17 administered: ~~Provided further,~~ That minerals in lands set
18 apart for Indian use, including lands the jurisdiction of which
19 has been transferred to the Department of the Interior by
20 Executive order for Indian use, shall be subject to the Act
21 entitled "An Act to regulate the leasing of certain Indian
22 lands for mining purposes", approved May 11, 1938 (52
23 Stat. 347; 25 U. S. C., secs. 396a-396f).

24 SEC. 4. Nothing herein contained shall be deemed or
25 construed to (a) amend, modify, or change any existing law

1 authorizing or requiring the sale of acquired lands, or (b)
2 empower any commission, bureau, or agency of the Gov-
3 ernment to make a reservation of the minerals in the sale
4 of any acquired land: *Provided*, That any such sale or
5 conveyance of lands shall be made by the agency having
6 jurisdiction thereof, subject to any lease theretofore made,
7 covering the mineral deposits underlying such lands.

8 SEC. 5. Where the United States does not own all of
9 the mineral deposits under any lands sought to be leased
10 and which are affected by this Act, the Secretary is author-
11 ized to lease the interest of the United States in any such
12 mineral deposits when, in the judgment of the Secretary,
13 the public interest will be best served thereby; subject,
14 however, to the provisions of section 3 hereof. Where the
15 United States does not own any interest or owns less than
16 a full interest in the minerals that may be produced from
17 any lands sought to be leased, and which are or will be
18 affected by this Act and where, under the provisions of its
19 acquisition, the United States is to acquire all or any part
20 of such mineral deposits in the future, the Secretary may
21 lease any interest of the United States then owned or to
22 be acquired in the future in the same manner as provided
23 in the preceding sentence.

24 SEC. 6. All receipts derived from leases issued under the
25 authority of this Act shall be paid into the same funds or

1 accounts in the Treasury and shall be distributed in the same
2 manner as prescribed for other receipts from the lands affected
3 by the lease, the intention of this provision being that this
4 Act shall not affect the distribution of receipts pursuant to
5 legislation applicable to such lands: *Provided, however, That*
6 receipts from leases or permits for minerals in lands set apart
7 for Indian use, including lands the jurisdiction of which has
8 been transferred to the Department of the Interior by Execu-
9 tive order for Indian use, shall be ~~disposed of in accordance~~
10 ~~with the provisions of the Act of May 17, 1926 (44 Stat.~~
11 ~~560, 25 U. S. C., sec. 155)~~ *deposited in a special fund in*
12 *the Treasury until final disposition thereof by the Congress.*

13 SEC. 7. Upon request by the Secretary, the heads of all
14 executive departments, independent establishments, or instru-
15 mentalities having jurisdiction over any of the lands referred
16 to in section 2 of this Act shall furnish to the Secretary the
17 legal description of all of such lands, ~~shall furnish to him and~~
18 all pertinent abstracts, title papers, and other documents in
19 the possession of such agencies concerning the status of the
20 title of the United States to the mineral deposits that may be
21 found in such lands.

22 Abstracts, title papers, and other documents furnished to
23 the Secretary under this section shall be recorded promptly
24 in the Bureau of Land Management in such form as the
25 Secretary shall deem adequate for their preservation and use

1 in the administration of this Act, whereupon the originals
2 shall be returned promptly to the agency from which they
3 were received. Duly authenticated copies of any such ab-
4 stracts, title papers, or other documents may, however, be
5 furnished to the Secretary, in lieu of the originals, in the
6 discretion of the agency concerned.

7 SEC. 8. Nothing contained in this Act shall be construed
8 to affect the rights of the State or other local authorities to
9 exercise any right which they may have with respect to
10 properties covered by leases issued under this Act, including
11 the right to levy and collect taxes upon improvements, out-
12 put of mines, or other rights, property, or assets of any
13 lessee of the United States.

14 SEC. 9. Nothing in this Act shall affect any rights ac-
15 quired by any lessee of lands subject to this Act under the
16 law as it existed prior to the effective date of this Act, and
17 such rights shall be governed by the law in effect at the time
18 of ~~its~~ *their* acquisition; but any person qualified to hold a lease
19 ~~who on March 1, 1947, had pending an application for lease~~
20 ~~of any lands, not situated within the known geologic structure~~
21 ~~of a producing oil or gas field, shall have a preference right~~
22 ~~over others to a lease of such lands under the provisions~~
23 ~~hereof who, on the date of this Act, had pending an applica-~~
24 ~~tion for an oil and gas lease for any lands which on the date~~
25 ~~the application was filed was not situated within the known~~

1 *geologic structure of a producing oil or gas field, shall have*
2 *a preference right over others to a lease of such lands without*
3 *competitive bidding. Any person holding a lease on lands*
4 *subject hereto, which lease was issued prior to the effective*
5 *date of this Act, shall be entitled to exchange such lease for a*
6 *new lease issued under the provisions of this Act, at any time*
7 *prior to the expiration of such existing lease.*

8 SEC. 10. The Secretary of the Interior is authorized to
9 prescribe such rules and regulations as are necessary and
10 appropriate to carry out the purposes of this Act, which
11 rules and regulations shall be the same as those prescribed
12 under the mineral leasing laws to the extent that they
13 are applicable.

80TH CONGRESS
1ST SESSION

H. R. 3022

[Report No. 550]

A BILL

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

By Mr. BARRETT

APRIL 10, 1947

Referred to the Committee on Public Lands

JUNE 9, 1947

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

bill will now be sent to the President.

13. CLAIMS. Passed as reported H.R. 3690, to amend the Federal Tort Claims Act regarding death statutes and decisions in Ala. and Mass. (pp. 8523-4).
14. WAR POWERS. The Judiciary Committee reported with amendments S. J. Res. 123, to declare the termination of certain emergency and war powers (H. Rept. 799) (p. 8561).
15. SPRUCE PRODUCTION CORPORATION. Received from the President a proposed provision pertaining to an existing authorization for expenditure of funds of the U.S. Spruce Production Corporation (H. Doc. 384). To Appropriations Committee. (p. 8561)
16. CORPORATIONS. Received from the Comptroller General Supplement 1 to the Reference Manual of Government Corporations. To Expenditures in the Executive Departments Committee. (p. 8561.)
17. HOUSING. Received a Chelsea (Mass.) Board of Alderman petition urging passage of the Taft-Ellender-Wagner housing bill (p. 8562).
18. Passed over with debate the following bills: H.R. 1555, to promote uniformity in geographic nomenclature in the Federal Government (p. 8498); H.R. 1826, making it a petty offense to enter a national forest while it is closed to the public (p. 8498); H.R. 3022, to promote the mining of coal, phosphate, sodium, potassium, oil shale, gas, and sulfur on lands acquired by the U.S. (p. 8499); H.R. 452, relating to marketing agreement orders (p. 8500); H.R. 1693, to provide for Federal aid to States in fish restoration and management projects (p. 8525); H.R. 1602, to establish a Minerals Resources Division in Interior Department (p. 8527).
19. PATENTS. Passed as reported H.R. 3958, to extend temporarily the time for filing applications for patents and for taking action in the U.S. Patent Office with respect thereto (p. 8528-9).
20. LEGISLATIVE APPROPRIATION BILL. In considering this bill (H.R. 3993) recently, the full Appropriations Committee increased the Legislative Reference Service item from \$300,000 (as reported in Digest 122) to \$400,000.

SENATE

21. EXECUTIVE ORGANIZATION. The President pro tempore appointed Sens. Aiken (Vt.) and McClellan (Ark.), Prof. James K. Pollock, University of Michigan, and Joseph P. Kennedy (Mass.) to be members of the Commission on Organization of the Executive Branch of the Government, pursuant to Public Law 162, 80th Cong. (p. 8453).
22. CORPORATIONS. Received from GAO information supplementing the Reference Manual of Government Corporations, reflecting changes in applicable laws, creation or liquidation of corporations, Government reorganizations, and other conditions affecting the auditing relations of GAO and the corporations through 1946 (S. Doc. 86) (p. 8453).
23. FLOOD CONTROL; SURPLUS PROPERTY. Passed as reported S. 1515, to make surplus property available for the alleviation of damage caused by flood or other catastrophe (pp. 8466-8).
24. WORLD HEALTH ORGANIZATION. Passed with amendments S. J. Res. 98, to provide for

U.S. participation in a World Health Organization (pp. 8492-3).

25. LANDS. The Public Lands Committee reported without amendment S. 1348, to provide for the addition of certain revested Oregon & California Railroad grant lands to the Silver Creek recreational demonstration project, Oreg. (S. Rept. 447) (p. 8456).
The Public Lands Committee reported without amendment H.R. 2167, to authorize the inclusion within the Angostura units of the Missouri Basin project of certain lands owned by the U.S. (S.Rept. 448) (p. 8456).
Received from the Interior Department a report on the Hayden Lake unit of the Rathdrum Prairie project, Idaho; to Public Lands Committee (p. 8453).
26. RECLAMATION. Received a Calif. Legislature resolution favoring S. 66, to make the 160-acre limitation inapplicable to the Central Valley Project, Calif. (pp. 8454-5).
27. TRANSPORTATION OF AGRICULTURAL COMMODITIES. Received a Calif. Legislature resolution favoring H.R. 794, to provide for the regulation in interstate commerce of agricultural products, and requesting that the list of commodities coming under the provisions of the bill be amended to include figs, apricots, prunes, plums, olives, and walnuts (pp. 8453-4).
28. HOUSING. Received a Calif. Legislature resolution favoring the Taft-Ellender-Wagner housing bill (p. 8455).
29. INTER-AMERICAN HIGHWAY. Sen. Ferguson, Mich., submitted and discussed a report from the Special Committee Investigating National Defense on its investigation of the Inter-American Highway (pp. 8487-92).
30. SURPLUS HORSES. Sen. Morse, Oreg., discussed a newspaper article which comments on the announced auction sale of horses declared surplus by the War Department, answering criticism in the article that the horses are old and decrepit, but stating that the Government should be humane in such matters and it is desirable to keep the remount farms in existence by transferring them to Agriculture (pp. 8493-4).
31. NATIONAL FORESTS. S.J.Res. 118 as reported by the Public Lands Committee (see Digest 127) authorizes the sale of timber within the Tongass National Forest, Alaska, notwithstanding any claim of possessory rights; authorizes Interior Department to sell vacant lands in the Forest necessary for the processing of timber; prohibits the sale of lands actually possessed, used, or occupied for town sites, smoke-houses, gardens, hunting or fishing cabins, etc., or any timber actually possessed by any native tribes, native villages, native individuals, or other persons; authorizes the purchaser to have and exercise his rights under any patent issued or contract to sell free and clear of claims based on possessory rights; provides that receipts from such sales shall be maintained in a special account in the Treasury to be available for payment to the claimants found to be entitled to any amount; and authorizes any native tribe or village, etc., found to have a valid claim for compensation for any lands or timber sold to institute suit against the U.S. in either the Court of Claims or the district court within five years of the date of final determination of such claim.
32. WAR POWERS. In addition to the provisions of S.J.Res. 123, mentioned in Digest 110, this measure terminates the provision for accumulation of 90 days' annual leave by Government personnel.

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, it is my understanding that the gentleman from New York [Mr. COLE], the last time the Consent Calendar was called, requested that this bill be passed over without prejudice to give him an opportunity to ascertain the amount of money this bill would cost the Federal Government. He has now investigated the matter and left a memorandum with his colleagues on the committee to the effect that it will not cost over \$30,000 a year—at least he was so advised.

With that understanding I withdraw the reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That section 107 of title 2 of the Canal Zone Code, approved June 19, 1934, is amended by adding at the end thereof the following:

"In the case of any annuitant retired under the provisions of this article prior to July 29, 1946, the annuity shall be recomputed and paid in accordance with section 92, title 2, of this article as amended July 29, 1946."

SEC. 2. Nothing herein shall be so construed as to reduce the annuity of any such person nor shall any increase in annuity commence before the 1st day of the month following the month in which this act is approved.

With the following committee amendments:

Page 1, line 7, strike out "July 29, 1946", and insert "July 29, 1942."

Page 1, line 9, strike out all of line 9 after the word "section" and insert in lieu thereof "96 of this title, as amended July 29, 1942."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING NAVIGATION RULES FOR THE WESTERN RIVERS AND INLAND WATERS

The Clerk called the bill (H. R. 3350) relating to the rules for the prevention of collisions on certain inland waters of the United States and on the western rivers, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

Mr. WEICHEL. I believe I shall have to object to that.

Mr. CUNNINGHAM. I have made this request, Mr. Speaker, because I notice that when it was called 2 weeks ago, two of my colleagues, the gentleman from New York [Mr. COLE], and the gentleman from New Jersey [Mr. KEAN], at that time requested that the bill be passed over without prejudice. These two gentlemen are unable to be present today. I do not know what reason they had for making the request 2 weeks ago, nor do I know whether they have since changed their minds or opinions in regard to this measure, but the fact that they made the request justifies me in making it again in their absence.

I hope the gentleman from Ohio will not object because in that event I should have to pass to the passage of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa? There was no objection.

REARING PONDS AND FISH HATCHERY, ROGERS CITY, MICH.

The Clerk called the bill (H. R. 210) to establish rearing ponds and a fish hatchery at or near Rogers City, Mich.

Mr. BUCK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

REARING PONDS AND FISH HATCHERY, ST. IGNACE, MICH.

The Clerk called the bill (H. R. 214) to establish rearing ponds and a fish hatchery at or near St. Ignace, Mich.

Mr. BUCK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

REARING PONDS AND FISH HATCHERY, CHARLEVOIX, MICH.

The Clerk called the bill (H. R. 215) to establish rearing ponds and a fish hatchery at or near Charlevoix, Mich.

Mr. BUCK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

REARING PONDS AND FISH HATCHERY, ANNA RIVER, MICH.

The Clerk called the bill (H. R. 216), to establish rearing ponds and a fish hatchery.

Mr. BUCK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDING ORGANIC ACT OF THE UNITED STATES GEOLOGICAL SURVEY

The Clerk called the bill (H. R. 3106) to reenact and amend the Organic Act of the United States Geological Survey by incorporating therein substantive provisions confirming the exercise of long-continued duties and functions and by redefining their geographic scope.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

PROMOTING MINING OF COAL, PHOSPHATE, SODIUM, ETC., ON GOVERNMENT LAND

The Clerk called the bill (H. R. 3022) to promote the mining of coal, phosphate, sodium, potassium, oil shale, gas, and sulfur on lands acquired by the United States.

Mr. CUNNINGHAM. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. BRADLEY. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, I object.

INCREASES IN RATES OF PENSIONS TO SPANISH-AMERICAN WAR VETERANS

The Clerk called the bill (H. R. 969) to provide increases in the rates of pensions payable to Spanish-American War veterans and their dependents.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, as I understand it, this bill was passed last week under suspension of the rules; am I correct?

The SPEAKER. Yes; a similar bill was passed.

Mr. CUNNINGHAM. Mr. Speaker, I move that the bill be laid on the table.

The motion was agreed to.

REIMBURSING CERTAIN NAVY PERSONNEL

The Clerk called the bill (S. 665) to reimburse certain Navy personnel for money stolen or obtained through false pretenses from them while they were on duty at the United States naval training station, Farragut, Idaho.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to certain Navy personnel and former Navy personnel, such sum or sums, amounting in the aggregate to not to exceed \$2,017, as may be certified by the Secretary of the Navy to be required to reimburse them for losses they sustained as a result of certain sums of money having been stolen or obtained by false pretenses from them, without fault or negligence on their part, while they were on duty as members of Company 956-43 at the naval training station, Farragut, Idaho, in the months of November and December 1943: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING COMMISSIONER OF PUBLIC BUILDINGS TO DETERMINE FAIR MARKET VALUE OF FIDELITY BUILDING, KANSAS CITY, MO.

The Clerk called the bill (H. R. 2955) authorizing and directing the Commissioner of Public Buildings to determine the fair market value of the Fidelity Building in Kansas City, Mo., to receive bids for the purchase thereof, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, I ask unanimous consent to substitute the Sen-

ate bill, S. 1231, for the House bill, an identical bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Commissioner of Public Buildings is authorized and directed to cause to be determined by appraisal the fair market value of certain real estate in Kansas City, Mo., recently acquired by the United States, which real estate consists of the building known as the Fidelity National Bank and Trust Building and the tract of land on which said building is situated, said real estate being located at the southeast corner of the intersection of Ninth and Walnut Streets in said city. Said fair market value shall be determined, and the amount thereof shall be made a matter of public information, on or before September 1, 1947. For the purpose of making such determination, the Commissioner may employ, without regard to the civil-service laws or the Classification Act of 1923, as amended, three disinterested persons resident in Kansas City, Mo., who have knowledge of the value of real estate in Kansas City and are qualified appraisers of real estate used for industrial or commercial purposes in said city. Funds continued available under the provisions of section 1 (a) of Public Law 413, Seventy-ninth Congress, approved June 14, 1946, are hereby made available for the purpose of paying the necessary costs relating to the employment of such appraisers.

SEC. 2. From and after the date upon which such fair market value is determined as herein provided, and until December 31, 1947, the Commissioner of Public Buildings shall solicit and receive sealed bids for the purchase of said real estate from the United States. Said bids shall not be opened prior to January 1, 1948. On or after January 1, 1948, but in no case later than January 10, 1948, said bids shall be opened and made a matter of public information.

SEC. 3. On or before February 1, 1948, the Commissioner of Public Buildings shall transmit to the Congress a report of the action taken pursuant to this act and the results thereof, attaching to, and making a part of, said report (1) a digest of said appraisal and a statement as to the amount of the fair market value of said real estate as determined thereby, and (2) an abstract of all bids received for the purchase of said real estate, showing as to each bid the name of the bidder or bidders and the amount and terms of the bid. Said report shall serve as the basis for further action by the Congress with respect to the sale of said real estate by the United States.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 2955) was laid on the table.

A motion to reconsider was laid on the table.

AUTHORIZING FEDERAL WORKS ADMINISTRATOR TO APPOINT SPECIAL POLICEMEN

The Clerk called the bill (H. R. 3219) to authorize the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him to appoint special policemen for duty upon Federal property under the jurisdiction of the Federal Works Agency, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him may appoint employees as special policemen without additional compensation for duty in connection with the policing of public buildings and other areas under the jurisdiction of the Federal Works Agency. Such special policemen shall have the same powers as sheriffs and constables upon such Federal property, except for the service of civil process and for the collection of strictly private debts, to enforce the laws enacted for the protection of persons, property, health and morals, to prevent breaches of the peace, to suppress affrays or unlawful assemblies, and to enforce any rules and regulations made and promulgated by the Administrator or such duly authorized officials of the Federal Works Agency for the property under their jurisdiction: *Provided, however,* That the jurisdiction and policing powers of such special policemen shall be restricted to the Federal property over which the United States has acquired exclusive or concurrent criminal jurisdiction.

2. The Federal Works Administrator or officials of the Federal Works Agency duly authorized by him are hereby further authorized to make all needful rules and regulations for the government of the Federal property under their charge and control, and to annex to such rules and regulations reasonable penalties as will insure their enforcement.

3. Upon the application of the head of any department or agency of the United States having buildings, property, or lands of the United States under its administration and control and over which exclusive or concurrent criminal jurisdiction has been ceded, the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him, is authorized to detail any such special policemen for the protection of such buildings, property, or lands, and also, if he deems it desirable, to extend to such buildings, property, or lands any such regulations and to enforce the same as herein set forth: *Provided,* That the Federal Works Administrator or officials of the Federal Works Agency duly authorized by him, whenever it is deemed economical and in the public interests, may utilize the facilities and services of existing Federal law-enforcement agencies, and, with the consent of any State or local agency, the facilities and services of the State or local law-enforcement agencies, upon such terms as may be agreed upon.

4. Whoever violates any rule or regulation promulgated pursuant to section 2 of this act shall be punished by a fine of not more than \$50 or imprisonment for not more than 30 days, or both.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT TO SECTION 3 OF FLOOD CONTROL ACT

The Clerk called the bill (H. R. 3146) to amend section 3 of the Flood Control Act approved August 28, 1937, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the Flood Control Act approved August 28, 1937, is amended to read as follows:

"SEC. 3. That, in order to further the declaration of policy and principles declared in sections 1 and 2 of the Flood Control Act approved June 22, 1936, and to supplement the preliminary examinations and surveys which the Secretary of War has heretofore been, or is hereafter, authorized and directed to make of waterways with a view to the control of their floods, the Secretary of Agriculture be,

and he is hereby, authorized and directed to cause preliminary examinations and surveys to be made for run-off and water-flow retardation and soil-erosion prevention on the watersheds of said waterways, the costs thereof to be paid from appropriations heretofore or hereafter made for such purposes."

SEC. 2. After the Secretary of Agriculture has submitted to Congress a regular or formal report made on any examination or survey, pursuant to the Flood Control Act approved June 22, 1936, as amended and supplemented, a supplemental, additional, or review report or estimate may be made if authorized by law or by resolution of the Committee on Public Works of the House of Representatives or the Committee on Public Works of the Senate.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARKETING AGREEMENTS AND ORDERS

The Clerk called the bill (H. R. 452) to amend the provisions of the Agricultural Adjustment Act relating to marketing agreements and orders.

Mr. BUCK. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDING THE NATIONALITY ACT OF 1940, AS AMENDED

The Clerk called the bill (H. R. 3555) to amend subsection (b) of section 303 of the Nationality Act of 1940, as amended.

Mr. BUCK. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

AMENDING SECTION 10 OF NATIONAL ARCHIVES ACT

The Clerk called the bill (H. R. 3638) to amend section 10 of the act establishing a National Archives of the United States Government.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 10 of the act entitled "An act to establish a National Archives of the United States Government, and for other purposes," approved June 19, 1934 (44 U. S. C. 300j), is hereby amended by inserting immediately after the words "books and maps;" the words "payment in advance when authorized by the Archivist for library memberships in societies whose publications are available to members only or to members at a price lower than to the general public;"

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AIR MAIL DELIVERY BY GOVERNMENT-OWNED TRUCKS

The Clerk called the bill (H. R. 2588) requiring all mails consigned to an airport from a post office or branch, or from an airport to a post office or branch, within a radius of 35 miles of a city in which there has been established a Government-owned vehicle service to be de-

out of certain areas of the national forests.

Mr. RICH. And all of these western States want this legislation, do they?

Mr. HOPE. No; the States are not asking for it; the Forest Service is asking for it to protect the forests.

Mr. RICH. Mr. Speaker, I withdraw my reservation of objection.

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, would the gentleman from Kansas, chairman of the Committee on Agriculture, agree that it is the intent of the law that it apply only to willful trespass?

Mr. HOPE. I am sure that is the way it will be applied. I cannot construe the law because the law speaks for itself. I would not want to mislead the gentleman by saying that it would have to be a willful trespass. It is the intention to keep off those who are willful trespassers. Undoubtedly if a person went on these by mistake that would be a defense.

Mr. CASE of South Dakota. If a man unintentionally happened to step on national forest land, or if he cut across a mountain or valley to save a long walk around or if he had proper business on forest ground to see some cattle, for instance, would the gentleman want to say that he would automatically be liable to be charged with an offense and subjected to fine and imprisonment?

Mr. HOPE. I am not sure he would not be.

Mr. KEARNEY. I believe under the penalty statutes, in order to get a conviction it would have to be willful. If a man violates the law it must be a willful violation.

Mr. CASE of South Dakota. In view of the discussion on that I would like to have it clear. I did not intend to raise any question but in view of what has been said it should be clear that it is not here intended to make it illegal if a man happens to step on some national forest property without having gotten permission from a national forest official.

Mr. HOPE. I am sure, and I believe the gentleman is sure, that the law would not be applied that way.

Mr. CASE of South Dakota. With that understanding, I withdraw my reservation of objection.

Mr. SHORT. Mr. Speaker, reserving the right to object, I have two or three national forests in my district and this concerns me. Unless you put specifically in the law that the trespasser knowingly and willingly violates the rules and regulations, I think I shall be constrained to object.

Mr. HOPE. I hope the gentleman will not object.

Mr. SHORT. Any person who innocently is found in a national forest, unwittingly and without malice aforethought, certainly should not be subjected to fine and imprisonment unless he has willfully violated the law.

Mr. HOPE. The gentleman understands that there is on the statute books at the present time a law with a much more severe penalty than is provided

here; so that whether this act is passed or not the other would be in effect.

Mr. SHORT. Under those circumstances I withdraw my objection, and will run the risk of taking the lesser evil.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whoever, without lawful authority or permission, shall go upon any national-forest land while it is closed to the public by or under authority of a regulation of the Secretary of Agriculture made pursuant to law shall be fined not more than \$500, or imprisoned without hard labor for not more than 6 months, or both: Provided, That nothing herein shall be construed to limit the authority of the Secretary of Agriculture under other law to otherwise provide for regulating the occupancy and use of national-forest lands and lands administered by the Forest Service.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

VACANCY IN OFFICE OF DISTRICT JUDGE, SOUTHERN DISTRICT OF NEW YORK

The Clerk called the bill (H. R. 1436) to repeal the prohibition against the filling of a vacancy in the office of district judge in the southern district of New York.

Mr. COLE of New York. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

MINIMUM ALLOWANCE PAYABLE FOR REHABILITATION IN SERVICE-CONNECTED CASES

The Clerk called the bill (H. R. 3308) to increase the minimum allowance payable for rehabilitation in service-connected cases.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

FISH HATCHERY AT ROGERS CITY, MICH.

The Clerk called the bill (H. R. 210) to establish rearing ponds and fish hatchery at or near Rogers City, Mich.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

FISH HATCHERY AT ST. IGNACE, MICH.

The Clerk called the bill (H. R. 214) to establish rearing ponds and a fish hatchery at or near St. Ignace, Mich.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

FISH HATCHERY AT CHARLEVOIX, MICH.

The Clerk called the bill (H. R. 215) to establish rearing ponds and a fish hatchery at or near Charlevoix, Mich.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

FISH HATCHERY AT THE ANNA RIVER, MICH.

The Clerk called the bill (H. R. 216) to establish rearing ponds and a fish hatchery at the Anna River, Mich.

Mr. KEAN. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

UNITED STATES GEOLOGICAL SURVEY

The Clerk called the bill (H. R. 3106) to reenact and amend the Organic Act of the United States Geological Survey by incorporating therein substantive provisions confirming the exercise of long-continued duties and functions and by redefining their geographic scope.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MacKINNON. I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

PROMOTING CERTAIN MINING ON UNITED STATES LANDS

The Clerk called the bill (H. R. 3022) to promote the mining of coal, phosphate, sodium, oil shale, gas, and sulfur on lands acquired by the United States.

The SPEAKER. Is there objection to the present consideration?

Mr. CARROLL. Mr. Speaker, reserving the right to object, I would like to have the chairman of the subcommittee explain this bill to determine whether or not it affects tidelands; the oil situation on the coastal waters of the United States.

Mr. BARRETT. Mr. Speaker, if the gentleman will yield, I might say to the gentleman that I have an amendment prepared which will except tidelands from the provisions of this bill. I shall offer that amendment at the proper time.

Mr. CARROLL. Would the gentleman explain to the Members of this body what this bill does?

Mr. BARRETT. The Department of the Interior presently has jurisdiction over all of our public domain for mineral-leasing purposes. They have had a very satisfactory leasing system under the Leasing Act of 1920, as amended. Under the Reorganization Act, that Department handles mineral leases on all Federal lands. The purpose of this bill is to provide that all acquired lands of the United States shall be leased under the same conditions that presently ap-

plies to the public domain. That system has worked well and a uniform system will be of great help to those applying for these leases. I understand there are about 150,000,000 acres of acquired lands scattered throughout the United States. This bill applies only to those lands. In many States of the West the oil industry finds one set of regulations on applications for oil and gas leases applies to public domain lands and an entirely different set of regulations applies to acquired lands even though the lands are the same in every respect and in many cases are adjoining.

Mr. CARROLL. Then the amendment the gentleman proposes now specifically exempts the tide oil lands in the coastal areas?

Mr. BARRETT. That is right.

Mr. HOBBS. Mr. Speaker, will the gentleman yield?

Mr. CARROLL. I yield to the gentleman from Alabama.

Mr. HOBBS. May I ask the gentleman if he knows whether or not the Department of Agriculture objects to this bill?

Mr. BARRETT. I might say that a representative of the Department of Agriculture appeared before our committee and raised some objections to the provisions of this bill. However, the Department of the Interior is very much in favor of the bill because it would facilitate the administration of their work. The gentleman well knows, as I said, that under the Executive order of the President the jurisdiction of leasing these lands presently lies in the Department of the Interior and not in the Department of Agriculture.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. CARROLL. I yield to the gentleman from New York.

Mr. CELLER. I might ask the gentleman who now has the power to lease these lands?

Mr. BARRETT. The power to lease these lands rests exclusively with the Department of the Interior. In order to place the authority and responsibility for executing oil and gas leases and other mineral leases in the hands of one department of Government the President under the Reorganization Act transferred authority for that purpose to the Interior Department on all lands belonging to the United States.

However, the Department of the Interior leases the lands not under the rules and regulations of its own department but rather under the regulations of the department that formerly had jurisdiction of the lands before the transfer. This has caused considerable confusion and the purpose of this bill is simply to provide uniformity.

Mr. CELLER. Does the gentleman think a bill as important as this, which even would require, in the gentleman's opinion, an amendment to avoid any conflict with the recent Supreme Court decision with reference to tidelands, should be considered without a considerable degree of debate? It is too important to be considered on the Consent Calendar, is it not?

Mr. BARRETT. I might say to my colleague that the committee considered

the bill carefully and reported it out unanimously. It has been on the floor before. The question of the tidelands has been discussed and debated, and the amendment affecting the tidelands has been accepted by the States that are interested in the matter.

Mr. CARROLL. May I say to the gentleman from New York that I sat as a member of the committee and discussed the implications of this matter. As the gentleman from Wyoming has indicated, it is a transfer from the Department of Agriculture to the Department of the Interior for the purpose of developing some of the resources of the West.

Mr. CELLER. May I ask whether the Department of the Interior has given wholehearted approval to this bill?

Mr. BARRETT. Indeed it has.

Mr. CARROLL. Mr. Speaker, if there are no further questions on this point, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HOBBS. I object, Mr. Speaker.

The SPEAKER. Three objections are required to strike the bill from the calendar.

Mrs. DOUGLAS. I object, Mr. Speaker.

Mr. CELLER. I object, Mr. Speaker.

MARKETING AGREEMENTS AND ORDERS

The Clerk called the bill (H. R. 452) to amend the provisions of the Agricultural Adjustment Act relating to marketing agreements and orders.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc. That the Agricultural Adjustment Act, as amended, and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, is further amended as follows:

By adding at the end of section 2 (U. S. C., 1940 ed., title 7, sec. 602) the following:

"(3) Through the exercise of the powers conferred upon the Secretary of Agriculture under this title, to establish and maintain such minimum standards of quality and maturity and such grading and inspection requirements for agricultural commodities or the products thereof, other than milk and its products, in interstate commerce as will effectuate such orderly marketing of such agricultural commodities as will be in the public interest."

SEC. 2, Section 8c (6), as amended (U. S. C., 1940 ed., title 7, sec. 608c (6)), is amended to read as follows:

"(6) In the case of agricultural commodities and the products thereof, other than milk and its products, orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (7)) no others:

"(A) Limiting, or providing methods for the limitation of, the total quantity of any such commodity or product, or of any grade, size, or quality thereof, produced during any specified period or periods, which may be marketed in or transported to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, during any specified period or periods by all handlers thereof.

"(B) Allotting, or providing methods for allotting, the amount of such commodity or product, or any grade, size, or quality thereof, which each handler may purchase from or handle on behalf of any and all producers thereof, during any specified period or periods, under a uniform rule based upon the amounts sold by such producers in such

prior period as the Secretary determines to be representative, or upon the current quantities available for sale by such producers, or both, to the end that the total quantity thereof to be purchased, or handled during any specified period or periods shall be apportioned equitably among producers.

"(C) Allotting, or providing methods for allotting, the amount of any such commodity or product, or any grade, size, or quantity thereof, which each handler may market in or transport to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, under a uniform rule based upon the amounts which each such handler has available for current shipment, or upon the amounts shipped by each such handler in such prior period as the Secretary determines to be representative, or both, to the end that the total quantity of such commodity or product, or any grade, size, or quality thereof, to be marketed in or transported to any or all markets in the current of interstate or foreign commerce or so as directly to burden, obstruct, or affect interstate or foreign commerce in such commodity or product thereof, during any specified period or periods shall be equitably apportioned among all of the handlers thereof.

"(D) Determining, or providing methods for determining, the existence and extent of the surplus of any such commodity or product, or of any grade, size, or quality thereof, and providing for the control and disposition of such surplus, and for equalizing the burden of such surplus elimination or control among the producers and handlers thereof.

"(E) Establishing or providing for the establishment of reserve pools of any such commodity or product, or of any grade, size, or quality thereof, and providing for the equitable distribution of the net return derived from the sale thereof among the persons beneficially interested therein.

"(F) Requiring or providing for the requirement of inspection of any such commodity or product produced during specified periods and marketed by handlers.

"(G) In the case of hops and their products, in addition to, or in lieu of, the foregoing terms and conditions, orders may contain one or more of the following:

"(1) Limiting, or providing methods for the limitation of, the total quantity thereof, or of any grade, type, or variety thereof, produced during any specified period or periods, which all handlers may handle in the current of or so as directly to burden, obstruct, or affect interstate or foreign commerce in hops or any product thereof.

"(ii) Apportioning, or providing methods for apportioning, the total quantity of hops of the production of the then current calendar year permitted to be handled equitably among all producers in the production area to which the order applies upon the basis of one or more or a combination of the following: The total quantity of hops available or estimated will become available for market by each producer from his production during such period; the normal production of the acreage of hops operated by each producer during such period upon the basis of the number of acres of hops in production, and the average yield of that acreage during such period, as the Secretary determines to be representative, with adjustments determined by the Secretary to be proper for age of plantings or abnormal conditions affecting yield; such normal production or historical record of any acreage for which data as to yield of hops are not available or which had no yield during such period shall be determined by the Secretary on the basis of the yields of other acreage of hops of similar characteristics as to productivity, subject to adjustment as just provided for.

"(iii) Allotting, or providing methods for allotting, the quantity of hops which any handler may handle so that the allotment

CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

Division of Legislative Reports

(For Department staff only)

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For actions of July 23, 1947

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HIGHLIGHTS: Senate committee reported supplemental appropriation bill. Senate passed bills to dispose of farm-labor camps, regulate garbage imports, authorize poultry improvement cooperation, control water pollution, and authorize Mexican fence. Senate discussed and passed over bills to transfer Remount Service, consolidate appropriation bills, and authorize timber sale in Tongass Forest. House committee reported bill to amend GI farm-loan provisions. Rep. Arnold, elected to Agriculture Committee and Rep. Cleveland to Appropriations Committee. House received conference report on independent offices appropriation bill.

SENATE

1. **SUPPLEMENTAL APPROPRIATION BILL, 1948.** The Appropriations Committee reported with amendments this bill, H. R. 4269 (S. Rept. 689) (p. 9993). Changes made by the Committee in items of interest to this Department are as follows: (1) Reduced to \$210,000 funds for the Sugar Rationing Administration for industrial rationing of sugar, terminal leave, and liquidation of the program (Budget estimate, \$1,980,000, of which \$750,000 was appropriated in the Emergency Appropriation Act, 1948; House bill, \$710,000); included language permitting merger of these funds with the \$750,000 appropriated in the Emergency Appropriation Act; and reduced to \$20,000 (Budget, \$89,600; House, \$70,000) the amount which may be transferred for penalty mail. (2) Included a new item of \$100,000 additional for the appropriation "Insecticide Act" for administration of the new Federal Insecticide, Fungicide, and Rodenticide Act (Budget estimate \$200,000). (3) Increased the ODT item to \$484,000 for its continuation (House proposed \$140,000 for liquidation). (4) Added item of \$116,000 for the Institute of Inter-American Affairs. (5) Increased International Refugee Organization to \$73,361,400 (House, \$71,024,900). (6) Increased Office of Selective Service Records to \$5,000,000 (House, \$4,000,000).

Regarding farm labor the Committee report states: "The committee has approved an amendment appropriating \$1,350,000 for the farm labor supply program under the Department of Agriculture. The amendment will be offered on the floor of the Senate by the chairman of the committee under a motion to suspend the rules."

Regarding the Federal catalog proposal the report states: "The committee is of the opinion the project is a worthy one; however, there is no assurance

that once the system is developed, it will be used by all Government agencies. The committee recommends that legislation be enacted providing for a unified Federal Catalog System and until such time as this is done, it is not felt that time and funds should be expended on such a project."

Sen. Ball, Minn., gave notice of intention to offer the farm-labor amendment and inserted the proposed amendment in the Record (p. 9995).

2. FARM LABOR. Passed without amendment H.R. 4254, to provide for the disposition of farm-labor camps to public or semipublic agencies or nonprofit associations of farmers (pp. 10017-8). This bill will now be sent to the President.
3. POULTRY. Passed without amendment S. 1026, to provide for USDA cooperation with D.C., Alaska, Hawaii, Puerto Rico, and the Virgin Islands in the improvement of poultry, poultry products, and hatcheries (p. 10028).
4. SUBSIDIES. Passed with amendment H.R. 3738, to authorize retroactive subsidies to certain livestock slaughterers who became eligible under a regulation effective July 23, 1945, changing the definition of a non-processing slaughterer (pp. 10026-7, 10029).
5. GRAZING LANDS. Passed with amendment H.R. 4079, to amend the Taylor Grazing Act regarding distribution of fees (p. 10048).
6. WATER POLLUTION. Passed without amendment S. 1418, granting the consent and approval of Congress to an interstate compact relating to control and reduction of pollution in the waters of the New England States (pp. 10053-5).
7. GARBAGE DISPOSAL. Passed with amendments H.R. 597, to authorize control of foreign garbage disposal in the U.S.; authorize the Secretary to designate USDA and other Government employees to enforce the regulations; authorize the licensing of garbage collectors; and make owners, operators, etc., of ships, railway cars or aircraft responsible for safeguards in disposal (pp. 9997, 10000-1).
8. MINERALS. Passed as reported S. 1081, to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the U.S. (pp. 9997, 10001-2).
9. PERSONNEL. Passed as reported S. 1188, to provide that consideration shall be given, in establishing retention preference regulations, to employees permanently injured in line of duty, and to permit exemption of such employees from the regulations (pp. 10028-9).
Passed without amendment S. 1562, to amend the Federal Employees Pay Act of 1945 so as to exclude from the act certain experts and consultants (p. 10049).
10. CONSUMER CREDIT. Sens. Canehart, Flanders, Bricker, Robertson (Va.), and Maybank were appointed conferees on S.J.Res. 148, to authorize the temporary continuation of consumer credit controls (p. 9996).
11. APPROPRIATIONS. The Appropriations Committee reported without amendments H.R. 4268, making supplemental appropriations for Government corporations and independent agencies (no written report submitted) (p. 9993). (Carries RFC appropriations.)
The Daily Digest states that H.R. 4002, the War Department Civil Functions Appropriation bill, was reported (S.Rept. 710) (p. D587).
12. HOUSING. Passed as reported S. 1154, to reduce the housing premium authorization to \$75,000,000 (pp. 9997-8).

31. RECLAMATION. Passed, with the reported version of H.R. 1597 inserted as an amendment, S. 483, to relocate the boundaries and reduce the area of the Gila reclamation project, Ariz. (pp. 9938-40).
32. PUBLIC DEBT. Rep. Rich, Pa., spoke in favor of reducing the public debt (pp. 9940-1).
33. PERSONNEL. Reps. Monroney (Okla.), Rankin (Miss.), and Combs (Tex.) spoke in favor of legislation to carry out the proposed loyalty investigation program (pp. 9941-3).
34. LANDS. Passed without amendment S. 1368, to increase the size of isolated or disconnected tracts or parcels of the public domain which may be sold (p. 9962). This bill will now be sent to the President.
Passed with amendments H.R. 3022, to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the U.S. by making applicable to such lands the disposal policies of the Mineral Leasing Act now applicable to the public domain; and to provide that the heads of all land administering agencies shall furnish to the Interior Department complete descriptions and other pertinent data on lands affected (pp. 9972-3).
35. CONSUMER CREDIT. Conferees were appointed on S.J. Res. 148, to authorize the temporary continuation of regulation of consumer credit (p. 9981).
36. FUR SITUATION. Rep. Murray, Wis., submitted the report of the Fur Subcommittee of the Agriculture Committee on its investigation of the fur situation (pp. 9981-4). In connection with this report, Rep. Robsion, Ky., discussed with Rep. Murray the wool price-support bill (pp. 9984-5).
37. EDUCATION. Rep. Kefauver, Tenn., spoke in favor of Federal aid for education (pp. 9987-8).
38. PURCHASING. Received from the Treasury Department a proposed bill for the more economical operation of the general supply funds of the Bureau of Federal Supply; to Expenditures in the Executive Departments Committee (p. 9989).
39. ATOMIC ENERGY. Received the second semi-annual report of the Atomic Energy Commission (p. 9989).
40. PAPER SHORTAGE. The Select Newsprint and Paper Supply Committee submitted an interim report (H. Rept. 1042) (p. 9989).

ITEMS IN APPENDIX

41. AGRICULTURAL INVESTIGATIONS. Speech in the House by Rep. Sabath, Ill., favoring investigation of the disparity between the farmers' and the consumers' price (pp. A4019-20).
42. NATURAL RESOURCES. Extension of remarks of Rep. Welch, Calif., urging conservation of our natural resources, making particular reference to forests and petroleum (pp. A4001-2).
43. SECTION 32 FUNDS. Extension of remarks of Rep. Murray, Wis., including statistics on imports and on PMA tobacco programs, discussing the various uses of Section 32 funds (pp. A3990-1, A3994-5).
44. AGRICULTURAL APPROPRIATIONS. Extension of remarks of Rep. Arnold, Mo., including his recent radio address and a Farm Journal editorial, urging cooperation

in reducing Federal expenditures and referring in particular to USDA appropriations (pp. A3996-7).

45. POTATOES; PRICE SUPPORTS. Sen. Johnston, S.C., inserted J.M. Eleazer's (Clemson S.C., A & M College) article explaining potato price supports and surpluses (p. A3998).
46. DAIRY PRICES. Rep. Knutson, Minn., inserted a constituent's letter urging investigation of the disparity between dairy prices and consumer prices (p. A3999).
47. MARKETING; NUTS. Rep. Norblad, Oreg., inserted a McMinville (Oreg.) Telephone Register editorial criticizing imports of nuts as they affect the domestic market (pp. A3988-9).
48. PERSONNEL. Rep. McDowell, Pa., inserted a Washington Evening Star editorial criticizing release of career Federal employees and retention of war-service appointees (p. A4000).
Rep. Devitt, Minn., inserted Joseph J. Tepley's analysis of the civil service retirement system and discussion on improvement (pp. A4003-5).
49. WOOL. Rep. Lane, Mass., inserted a Boston Wool Trade Assn. letter opposing wool price supports (p. A4020).
50. CONSUMER CREDIT. Speeches in the House by Rep. Crawford (Mich.) favoring and Reps. Buffett (Nebr.) and Sabath (Ill.) opposing the bill to terminate consumer credit controls (pp. A3986-7, A3987, A4014-5).
51. ST. LAWRENCE SEAWAY. Extension of remarks of Rep. Blatnik, Minn., favoring this project (pp. A4015-7).
52. FLOOD CONTROL. Rep. Price, Ill., inserted a table showing the death and damage in the Missouri and Mississippi floods (pp. A3995-6).
Speech in the House by Rep. Jensen, Iowa, urging action to prevent floods and the consequent soil erosion (pp. A4010-2).
53. RECLAMATION. Extension of remarks of Rep. Welch, Calif., supporting H.R. 2873, to amend the Reclamation Project Act (pp. A4002-3).
54. FOREIGN AFFAIRS. Speech in the House by Rep. Sabath, Ill., opposing H. Res. 296, to establish a Select Committee on Foreign Aid, and H. Res. 295, to authorize investigations by the Foreign Affairs Committee (pp. A4017, A4018).

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COMMITTEE-HEARINGS ANNOUNCEMENTS for July 24: S. Public Lands, agricultural resources (FitzGerald to testify); Joint Committee on Economic Report, general discussion(ex.); S. Civil Service, employees loyalty bill; H. Appropriations, deficiency appropriation (ex.); H. Expenditures in Executive Departments, procurement and buildings use; H. Merchant Marine and Fisheries, Alaska problems; H. Foreign Affairs, international organizations (ex.);

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amount is reduced to \$2,500,000 which the Navy thinks will be adequate and ample for the purpose, for the time being at least.

Mr. Chairman, in my opinion, this bill ought to be passed.

Mr. BATES of Massachusetts. Mr. Chairman, I yield the balance of the time on this side to the gentleman from California [Mr. ANDERSON].

(Mr. ANDERSON of California asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of California. Mr. Chairman, H. R. 1341, as amended by the Committee on Armed Services, authorizes the Secretary of the Navy to acquire six parcels of land consisting of approximately 606 acres at Monterey, Calif., and to establish there a Naval Postgraduate School. The land and buildings referred to in this bill are available to the Navy Department at an option price of \$2,149,800. The option will expire on July 31, 1947. It is known that a 30-day extension may be acquired but the present owners have definitely stated that a longer-term extension of the option will not be acceptable. The amended bill provides for alterations to existing buildings to provide school facilities, quarters, and collateral facilities and equipment, including the acquisition of the necessary land and buildings thereon at a cost not to exceed \$2,500,000: The amount authorized will permit the acquisition of the property and make necessary alterations to accommodate a general line school for approximately 500 student officers on or about January 1, 1948.

The acquisition of the land and facilities thereon provided in this bill will provide additional capacity urgently needed for the postgraduate training of naval officers. To meet its obligations based upon commitments to Reserve officers who have transferred to the Regular Navy, the Navy must provide these officers the necessary opportunities for professional instruction and training which will enable them to compete on an equal basis with graduates of the Naval Academy. It has been determined that former Reserve officers now in the Regular Navy actually need the additional instruction in professional subjects such as gunnery, seamanship, naval engineering, administration, and command, and the general line course is designed to fit this need.

At the present time there is a backlog of approximately 10,000 Reserve transferees who should take this course. In addition, all junior line officers will take this course. This includes Naval Academy graduates as well as graduates of the 52 Naval Reserve units throughout the country. It is estimated that an over-all capacity of 1,220 for this purpose should be provided at the earliest possible moment. At the present time, the only facilities available are those at Newport which has a capacity for approximately 600 student officers. It is expected that the Monterey site in its present form will provide capacity for at least 500 additional officers.

Existing facilities for Naval Postgraduate School are not adequate to meet the present and future needs. Neither are

they capable of expansion to provide for additional enrollment. The postgraduate school at Annapolis which included general line instruction as well as advanced technical and engineering courses prior to the war is now devoted almost exclusively to the latter type of instruction. The situation at Annapolis was observed and commented upon by the Board of Visitors to the United States Naval Academy for 1947 in their report dated April 24, 1947, as follows:

The Board is of the opinion that the facilities of the Naval Postgraduate School are inadequate to meet the needs of the Navy for technically educated officers. The increased number of officers and men, and the increased amount and complicity of technical equipment now in use in the Navy, has necessitated doubling the number of student officers being educated at the present time in that school. There is insufficient laboratory space and equipment and much of the equipment on hand is out of date. The Board, therefore, recommends that immediate steps be taken to coordinate the activities and facilities of the Naval Postgraduate School so that it can be developed to serve its objectives.

The Monterey site has been determined by the Navy Department to be the most ideally suited location for a permanent postgraduate school. It fulfills all the requisites stated as essential by the Navy Department. Three different subcommittees of the House and Senate have reached a similar finding. A subcommittee appointed by the chairman of the Naval Affairs Committee of the House of Representatives, Seventy-ninth Congress, visited the proposed site at Monterey, Calif., in May 1946, and in their Report No. 283 recommended unanimously "that the Naval Postgraduate School be established at Monterey, Calif., in accordance with the request of the Navy Department." A subcommittee appointed by the chairman of the Senate Committee on Naval Affairs, Seventy-ninth Congress, visited and inspected possible locations for the Naval Postgraduate School on the west coast of the continent during September 1946. This subcommittee visited eight different general areas from San Diego to Puget Sound and inspected available sites in each locality. The subcommittee in its report of April 3, 1947, to the Senate Armed Services Committee recommended:

(a) that the Naval Postgraduate School be established at Monterey, Calif., in accordance with the request of the Navy Department, (b) that the Navy Department be authorized and directed to exercise the option it holds from the Del Monte Property Co. and consummate purchase of the property mentioned in the body of this report, (c) that the Navy Department be further directed to enter negotiations with the city of Monterey to acquire for control of the operation and maintenance of the Monterey Municipal Airport with compatible arrangements for its continued use by commercial airlines, (d) that the Navy Department accept the offer of Mr. Morse of the Del Monte Property Co. to deed Del Monte golf course in fee-simple to the Government, (e) in case Del Monte should not become available for any reason it is the recommendation of the committee that the other sites investigated by the committee be reassigned and reevaluated.

A subcommittee of the House Armed Services Committee held hearings on this bill commencing March 3, 1947, and made

an exhaustive study of all requirements and possible locations for the proposed permanent Naval Postgraduate School. This subcommittee considered in detail all properties occupied by the Armed Services at the present time including surplus property and property in active use. It considered locations on the east and gulf coasts as well as on the west coast. On April 23, 1947 the subcommittee acted on the proposed bill as amended and the chairman declared that the subcommittee approved the amended bill. Subsequently the full committee of House Armed Services Committee received the report of the subcommittee and unanimously recommended that the bill be reported favorably to the House of Representatives.

In connection with the consideration of this property, and the comparison with other possible sites on the west coast, it should be recognized that this one was not considered as an important strategic point at which important airfields or other essential operational activities were established during the war. It was leased by the Navy Department for training purposes. This observation is made to emphasize the fact that the site selected should not be one which had been used for operational purposes during the war. It should be one which would not subject the postgraduate school to possible displacement during a future emergency. This is essential because the postgraduate school is of a permanent character and its uninterrupted continuance during times of emergency would become increasing important.

In view of these facts and the careful and extended consideration which has been given this matter by the Congress, I strongly urge the passage of the bill as recommended by the Armed Services Committee.

The CHAIRMAN. There being no further requests for time, the Clerk will read the bill for amendment.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized and directed to provide by contract or otherwise for the construction of a naval postgraduate school at Monterey, Calif., including the necessary school facilities, quarters, and collateral facilities and equipment, including the acquisition of the necessary land, at a cost not to exceed \$28,750,000: *Provided*, That contracts may be entered into without regard to the provisions of 3709 Revised Statutes.

SEC. 2. The provisions of section 4 of the act approved April 25, 1939 (53 Stat. 591), as amended, shall be applicable to all public works and public utilities authorized by this act: *Provided*, That the fixed fee to be paid the contractor as a result of any contract entered into under the authority contained herein shall not exceed 6 percent of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy.

SEC. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to effectuate the purpose of this act.

With the following committee amendments:

Page 1, line 3, strike out "and directed to provide by contract or otherwise for the construction of" and insert "to acquire six

hundred and six and five hundred and ninety-two one-thousandths acres of land upon which the United States of America now has an option with buildings thereon at Monterey, Calif., for the establishment of."

Page 1, line 9, strike out "at Monterey, Calif."

Page 1, line 10, after the word "necessary", insert "construction and alterations to provide."

Page 2, line 3, strike out "\$28,750,000" and insert "\$2,500,000."

Page 2, line 6, strike out section 2.

Page 2, line 14, strike out section 3.

The committee amendments were agreed to.

The CHAIRMAN. Without objection, the Clerk will correct the spelling of the word "necessary" on page 2, line 2.

There was no objection.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the Chair, Mr. CHENOWETH, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 1341) to authorize the Secretary of the Navy to construct a postgraduate school at Monterey, Calif., pursuant to House Resolution 318, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them in gross.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Navy to establish a postgraduate school at Monterey, Calif."

A motion to reconsider was laid on the table.

PERMITTING THE SECRETARY OF THE NAVY AND THE SECRETARY OF WAR TO SUPPLY UTILITIES AND RELATED SERVICES TO WELFARE ACTIVITIES

Mr. BATES of Massachusetts. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H. R. 3055, An act to permit the Secretary of the Navy and the Secretary of War to supply utilities and related services to welfare activities, and persons whose businesses or residences are in the immediate vicinity of naval or military activities and require utilities or related services not otherwise obtainable locally, and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, after line 21, insert:

"Sec. 5. The authority granted in sections 1, 2, and 3 of this act shall terminate at midnight on December 31, 1952."

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

MINERAL LEASING ACT FOR ACQUIRED LANDS

Mr. BARRETT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 3022) to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States. I may say, Mr. Speaker, that I have consulted with the majority leader [Mr. HALLECK] and with the minority leader [Mr. RAYBURN], and they are both agreeable to the consideration of the bill at this time. The bill was reported favorably by the Committee on Public Lands and has a favorable report from the Department of the Interior. A similar though not identical bill has been passed by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That this act may be cited as the "Mineral Leasing Act for Acquired Lands."

SEC. 2. As used in this act "United States" includes Alaska. "Acquired lands" or "lands acquired by the United States" include all lands heretofore or hereafter acquired by the United States to which the "mineral leasing laws" have not been extended, including such lands acquired under the provisions of the act of March 1, 1911 (36 Stat. 961, 16 U. S. C., sec. 552). "Secretary" means the Secretary of the Interior. "Mineral leasing laws" shall mean the act of October 20, 1914 (38 Stat. 741, 48 U. S. C., sec. 432); the act of February 25, 1920 (41 Stat. 437, U. S. C., sec. 181); the act of April 17, 1926 (44 Stat. 301, 30 U. S. C., sec. 271); the act of February 7, 1927 (44 Stat. 1057, 30 U. S. C., sec. 281), and all acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the foregoing acts.

SEC. 3. Except where lands have been acquired by the United States for the development of the mineral deposits, all deposits of coal, phosphate, oil, oil shale, gas, sodium, potassium, and sulfur which are owned or may hereafter be acquired by the United States and which are within the lands acquired by the United States, exclusive of such deposits in such acquired lands as are situated within incorporated cities, towns, and villages, national parks or monuments, or set apart for military or naval purposes, may be disposed of by the Secretary under the provisions of the mineral-leasing laws, subject to the provisions hereof. The provisions of the act of April 17, 1926 (44 Stat. 301), as heretofore or hereafter amended, shall apply to deposits of sulfur covered by this act wherever situated. No mineral deposit covered by this section shall be leased except with the consent of the head of the executive department, independent establishment, or instrumentality having jurisdiction over the lands containing such deposit, or holding a mortgage or deed of trust secured by such lands which is unsatisfied of record, and subject to such conditions as that official may prescribe to insure the adequate utilization of the lands for the primary purposes for which they have been acquired or are being administered: *Pro-*

vided further, That minerals in lands set apart for Indian use, including lands the jurisdiction of which has been transferred to the Department of the Interior by Executive order for Indian use, shall be subject to the act entitled "An act to regulate the leasing of certain Indian lands for mining purposes," approved May 11, 1938 (52 Stat. 347; 25 U. S. C., secs. 396a, 396f).

SEC. 4. Nothing herein contained shall be deemed or construed to (a) amend, modify, or change any existing law authorizing or requiring the sale of acquired lands, or (b) empower any commission, bureau, or agency of the Government to make a reservation of the minerals in the sale of any acquired land: *Provided,* That any such sale or conveyance of lands shall be made by the agency having jurisdiction thereof, subject to any lease theretofore made, covering the mineral deposits underlying such lands.

SEC. 5. Where the United States does not own all of the mineral deposits under any lands sought to be leased and which are affected by this act, the Secretary is authorized to lease the interest of the United States in any such mineral deposits when, in the judgment of the Secretary, the public interest will be best served thereby; subject, however, to the provisions of section 3 hereof. Where the United States does not own any interest or owns less than a full interest in the minerals that may be produced from any lands sought to be leased, and which are or will be affected by this act and where, under the provisions of its acquisition, the United States is to acquire all or any part of such mineral deposits in the future, the Secretary may lease any interest of the United States then owned or to be acquired in the future in the same manner as provided in the preceding sentence.

SEC. 6. All receipts derived from leases issued under the authority of this act shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease, the intention of this provision being that this act shall not affect the distribution of receipts pursuant to legislation applicable to such lands: *Provided, however,* That receipts from leases or permits for minerals in lands set apart for Indian use, including lands the jurisdiction of which has been transferred to the Department of the Interior by Executive order for Indian use, shall be disposed of in accordance with the provisions of the act of May 17, 1926 (44 Stat. 560, 25 U. S. C., sec. 155).

SEC. 7. Upon request by the Secretary, the heads of all executive departments, independent establishments, or instrumentalities having jurisdiction over any of the lands referred to in section 2 of this act shall furnish to the Secretary the legal description of all of such lands, shall furnish to him all pertinent abstracts, title papers, and other documents in the possession of such agencies concerning the status of the title of the United States to the mineral deposits that may be found in such lands.

Abstracts, title papers, and other documents furnished to the Secretary under this section shall be recorded promptly in the Bureau of Land Management in such form as the Secretary shall deem adequate for their preservation and use in the administration of this act, whereupon the originals shall be returned promptly to the agency from which they were received. Duly authenticated copies of any such abstracts, title papers, or other documents may, however, be furnished to the Secretary, in lieu of the originals, in the discretion of the agency concerned.

SEC. 8. Nothing contained in this act shall be construed to affect the rights of the State or other local authorities to exercise any right which they may have with respect to properties covered by leases issued under this act, including the right to levy and collect taxes upon improvements, output of mines, or

other rights, property, or assets of any lessee of the United States.

Sec. 9. Nothing in this act shall affect any rights acquired by any lessee of lands subject to this act under the law as it existed prior to the effective date of this act, and such rights shall be governed by the law in effect at the time of its acquisition; but any person qualified to hold a lease who on March 1, 1947, had pending an application for lease of any lands, not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands under the provisions hereof. Any person holding a lease on lands subject hereto, which lease was issued prior to the effective date of this act, shall be entitled to exchange such lease for a new lease issued under the provisions of this act, at any time prior to the expiration of such existing lease.

Sec. 10. The Secretary of the Interior is authorized to prescribe such rules and regulations as are necessary and appropriate to carry out the purposes of this act, which rules and regulations shall be the same as those prescribed under the mineral leasing laws to the extent that they are applicable.

With the following committee amendments:

Page 2, line 12, after "acts," insert "Lease" includes 'prospecting permit' unless the context otherwise requires."

Page 2, line 16, after "deposits", insert "by foreclosure or otherwise for resale, or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U. S. C., sec. 1611 and the following)."

Page 2, line 25, strike out "disposed of by the Secretary under the provisions of the mineral leasing laws, subject to the provisions hereof" and insert "leased by the Secretary under the same conditions as contained in the leasing provisions of the mineral leasing laws, subject to the provisions hereof."

Page 3, line 17, after "administered", strike out the remainder of line 17 and all down to and including line 23.

Page 5, line 9, after "shall be", strike out "disposed of in accordance with the provisions of the act of May 17, 1926 (44 Stat. 560, 25 U. S. C., sec. 155)" and insert "deposited in a special fund in the Treasury until final disposition thereof by the Congress."

Page 5, line 17, strike out "shall furnish to him" and insert "and."

Page 6, line 18, strike out "its" and insert "their."

Page 6, strike out lines 19 to 23 ending with the word "hereof" and insert "who, on the date of this act, had pending an application for an oil and gas lease for any lands which on the date the application was filed was not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands without competitive bidding."

The committee amendments were agreed to.

Mr. HOBBS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 3, line 17, after the word "administered", insert a colon and the following proviso: "Provided, That nothing in this act is intended, or shall be construed, to apply to or in any manner affect any mineral rights, exploration permits, leases or conveyances or minerals that are or may be in any tidelands; or submerged lands; or in lands underlying the 3-mile zone or belt involved in the case of the United States of America against the State of California now pending on application for rehearing in the Su-

preme Court of the United States; or in lands underlying such 3-mile zone or belt, or the continental shelf, adjacent or littoral to any part of the land within the jurisdiction of the United States of America."

Mr. BARRETT. Mr. Speaker, the committee accepts the amendment.

The amendment was agreed to.

Mr. HOBBS. Mr. Speaker, I offer a further amendment.

The Clerk read as follows:

Amendment offered by Mr. HOBBS: On page 4, line 7, strike out the period and insert a colon in lieu thereof and the following: "Provided further, That nothing in this act is intended, or shall be construed to affect in any manner any provision of the act of June 30, 1938 (32 Stat. 1252), amending the act of June 4, 1920 (41 Stat. 813)."

Mr. BARRETT. Mr. Speaker, the committee accepts the amendment.

The amendment was agreed to.

Mr. BARRETT. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BARRETT:

On page 2, line 22, strike out the comma after the words "United States" and insert in lieu thereof "(".

On page 2, line 23, immediately following the word "are", insert "(a)."

On page 2, line 24, strike out "or" at the end of the sentence and insert in lieu thereof "(b)."

On page 2, line 25, immediately following the word "purposes", insert the following: "or (c) tidelands or submerged lands)."

On page 6, line 24, immediately following the word "lands", insert the following: "subject of this act."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SCHICK GENERAL HOSPITAL AT CLINTON, IOWA

Mr. BROWN of Ohio. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 271 and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the concurrent resolution (H. Con. Res. 54) to provide for the use of Schick General Hospital at Clinton, Iowa, for the Veterans' Administration. That after general debate, which shall be confined to the concurrent resolution and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Veterans' Affairs, the concurrent resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the concurrent resolution for amendment, the Committee shall rise and report the concurrent resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH], and now yield myself such time as I may desire.

Mr. Speaker, House Resolution 271 makes in order consideration under an open rule with an hour of general de-

bate House Concurrent Resolution No. 54. This concurrent resolution is to provide that the Veterans' Administration shall use the existing facilities owned by the United States Government known as Schick General Hospital at Clinton, Iowa, one of the finest and most modern hospitals in all America.

I think the enactment of this resolution will probably result in a considerable saving to the Government. I hope the resolution will be adopted.

Mr. SABATH. Mr. Speaker, I have no objection to the resolution providing for the consideration of House Concurrent Resolution 54. I only want to say that what is being provided in this bill should have been done with a great many other hospitals that the War Department has built and which they do not need at present. I do not know why these hospitals should not be utilized to the purposes for which they are greatly needed in caring for our disabled and sick veterans who served our country so well and who now require hospitalization.

I hope the passage of this bill will be an incentive and an encouragement to the War Department to turn over to the Veterans' Administration these hospitals which are not being operated but which could be utilized to good advantage. The only excuse the Veterans' Administration gives from time to time is that the hospitals are far removed from available medical centers. I think that the personnel shortage could easily be remedied, and physicians and nurses could be found ready and willing to serve in these hospitals to take care of these deserving veterans.

I hope the Veterans' Administration will take notice of our action and will follow soon in utilizing abandoned Army and Navy hospitals in many other localities where available, without the necessity of spending millions of dollars for the construction of new hospitals which will take from 2 to 3 years to erect and equip.

Our deserving veterans are entitled to hospitalization and, while I am aware of the lack of hospital facilities in many sections of the country, the situation will be greatly relieved if the abandoned Army and Navy hospitals are utilized wherever possible.

Mr. Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Does the gentleman have any other requests for time?

Mr. SABATH. No. I wish to expedite matters.

Mr. BROWN of Ohio. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of House Concurrent Resolution 54.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House

on the State of the Union for the consideration of House Concurrent Resolution 54, with Mr. JOHNSON of California in the chair.

By unanimous consent, the first reading of the resolution was dispensed with.

The CHAIRMAN. Under the rule, the gentlewoman from Massachusetts is recognized for 30 minutes, and the gentleman from Mississippi will be recognized for 30 minutes.

Mrs. ROGERS of Massachusetts. Mr. Chairman, there should be absolutely no objection to this resolution. The able and distinguished gentleman from New York, General KEARNEY, the chairman of the Subcommittee on Hospitals has unanimously reported this resolution, and it was unanimously reported by the Committee on Veterans' Affairs. I believe that it will be the judgment of the Congress that Schick General Hospital, Clinton, Iowa, be occupied and used by the Veterans' Administration for the care of veterans. It is to be used for the care of veterans, particularly convalescent or domiciliary cases.

This will fill a very great need for veterans all over the country, Mr. Chairman. It will in no way affect the construction of another hospital in Iowa.

Mr. Chairman, at this time I yield 5 minutes to the gentleman from Illinois [Mr. TWYMAN].

Mr. TWYMAN. Mr. Chairman, I am wholeheartedly in favor of the passage of House concurrent resolution 54. I want to congratulate the gentleman from Iowa [Mr. TALLE] for his persistence in keeping before the Members of the House the need for utilization by the Veterans' Administration of the Schick General Hospital at Clinton, Iowa. He has done a magnificent job. I know that his action results from his desire to see that the veterans of the central West are provided with proper hospital care without further delay. We as Members of Congress have a responsibility to discharge. We have accorded certain privileges to veterans and we should provide hospital facilities, particularly when those facilities are available and standing idle.

I appeared before the subcommittee, before the full committee, and before the Rules Committee to advocate bringing out this resolution. The veterans' hospitals in Chicago are overcrowded and there is a long waiting list. Estimates have been made as to how many people are waiting. Such estimates are meaningless because a large number of veterans entitled to hospitalization have given up and do not apply, because they know that the facilities are not available. By utilizing the Schick General Hospital at Clinton, Iowa, the congestion at Chicago and other points would be greatly relieved, as Clinton is only about 120 miles from Chicago. It will serve a large area in the central West.

In the hearings, it was stated that the Schick General Hospital does not comply with the specifications of the Veterans' Administration, and yet a number of other Army hospitals whose specifications are identical with those at Schick have been accepted by the Veterans Administration. With regard to specifications, as you may know, I have been iden-

tified with the construction industry for many years. When this point was brought up, I wondered if I was making a mistake and therefore conferred with a leading Chicago architect who has done a great deal of work for the Veterans Administration. He told me that the Veterans' Administration's specifications are arbitrary and peculiar and that, in his judgment, the most modern private hospital in the city of Chicago would not conform to the Veterans' Administration specifications. In these times when building materials are in short supply and building mechanics in great demand, the Veterans' Administration insists upon building new buildings to their own specifications instead of utilizing Army hospitals already built, which are comparatively new, having been built within the past 5 or 6 years. Under this procedure, these new hospital buildings would be sold for a song. They contend that veterans hospitals should be built near important medical centers, and yet they are proposing to build hospitals in isolated locations. As I have said, Clinton is only about 120 miles from Chicago, one of the most important medical centers in the world. With air travel, getting the specialists in any branch of the medical profession to Clinton would be simply a matter of hours.

There are a number of fine Army hospitals standing empty now, and boarded up. During the emergency which exists, these hospitals should be used, at least until new hospitals can be provided. I certainly hope the House of Representatives will act favorably on House Concurrent Resolution 54 and put itself on record with the Veterans' Administration as favoring the reopening of the Schick General Hospital in Clinton, Iowa.

Mr. BUCK. Mr. Chairman, will the gentleman yield?

Mr. TWYMAN. I yield.

Mr. BUCK. Can the gentleman tell us the cost per bed of building new hospitals as per Veterans' Administration specifications?

Mr. TWYMAN. I am not prepared to do so, but I can get those figures for the gentleman. Those figures are very high, as the gentleman must know.

Mr. BUCK. I wanted to get a comparison from the gentleman between the cost per bed in veterans' hospitals and the cost per bed in these modern hospitals such as the one in Chicago about which the gentleman is speaking.

Mr. TWYMAN. I have those figures and will furnish the gentleman with them. I think they will be very interesting.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. RANKIN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio [Mr. HUBER].

Mr. HUBER. Mr. Chairman, I dislike very much to oppose this resolution. However, one of the few things I know a little about is hospitals. It has been my good fortune to visit a great many of the veterans' hospitals throughout the northeastern section of the United States and I know that it takes more than sticks and stones to make a hospital.

It is true this is a fine, large plant up there in Clinton, Iowa. It has a swim-

ming pool, a recreation field, and a lot of other things; but that does not make a hospital. You cannot just reach out somewhere and staff a building with doctors and nurses, technicians, and all the other necessary requirements. The Veterans' Administration is planning to construct a new hospital in Iowa City just a few miles away from this hospital. The present Schick Hospital is of temporary construction. It is only semifire-proof. General Bradley and General Hawley have been opposed to this. Here we have General Bradley heading the Veterans' Administration and I feel that he is doing a fine job. If we are going to come in here and try to legislate piecemeal and try to tell the Veterans' Administration where they can build this hospital and that hospital there is never going to be an end to it. I say we should back up General Bradley who has the responsibility of following through.

Mr. MITCHELL. Mr. Chairman, will the gentleman yield?

Mr. HUBER. I yield to the gentleman from Indiana.

Mr. MITCHELL. Is it not true that under present circumstances it will take from 3 to 5 years to complete this hospital at Iowa City, 8 miles away from Clinton?

Mr. HUBER. It may.

Mr. MITCHELL. A subcommittee made a very thorough inspection tour out there and took into consideration the availability of practicing physicians and nurses in that immediate area. It simply recommended that this Schick Hospital be used and utilized until such time as the new hospital recommended by the Veterans' Committee has been completed. When there is no longer any need for it, then it will be turned over to the State of Iowa to be used as the State may see fit to use it.

Mr. HUBER. The present policy of the Veterans' Administration is to build these hospitals close to medical centers where they can have expert medical attention for these veterans. The evidence in the hearings, as the gentleman and I know as members of the committee, is that there are available beds within a reasonable distance. If you are going to reach out up here in Iowa and start converting this hospital you will have difficulty finding technicians and everything else that is needed to staff a hospital.

Mr. MITCHELL. If the gentleman will refer to page 13 of the report of the subcommittee headed by the gentleman from Pennsylvania [Mr. CROW] he will see there a report from Dr. John E. Norman covering the situation with reference to the availability of doctors and nurses.

Mr. HUBER. I am entirely familiar with the report of the chairman of the subcommittee the gentleman from Pennsylvania [Mr. CROW] and I commend that committee for its excellent job. But the fact remains that I feel there is no necessity for going out here and taking over a hospital of temporary Army type construction that is obsolete, in view of the fact that we have a building program. For instance, close to my district we have the Crile General Hos-

BILL PASSED OVER

The bill (S. 27) to provide for suspending the enforcement of certain obligations against the operators of gold and silver mines who are forced to cease operations because of the war, was announced as first in order.

Mr. GREEN. Over.

The PRESIDENT pro tempore. The bill will be passed over.

PROTECTION AGAINST IMPORTATION OF GARBAGE

The bill (H. R. 597) to protect American agriculture, horticulture, livestock, by prohibiting the importation of garbage derived from products originating outside of the United States, was announced as next in order.

Mr. TAFT. I ask unanimous consent that the bill be passed over temporarily, to be returned to later.

The PRESIDENT pro tempore. Without objection, the bill will be passed over temporarily.

Mr. CAPPER subsequently said: Mr. President, I hereby submit an amendment to H. R. 597.

As I stated to the Senate yesterday, this amendment is the result of an agreement between the Public Health Service and the Department of Agriculture with respect to the administration of the proposed legislation. The Acting Administrator of the Federal Security Agency, on behalf of the Public Health Service, has suggested the possibility that the bill might create some confusion between the administration of its provisions and the administration of the Public Health Service Act, which gives the Public Health Service authority in the field of garbage disposal as it affects the spread of disease in this country and among the States. The Acting Administrator, Mr. Maurice Collins, has written me that the amendment I am submitting would be adequate to preserve the existing authority of the Public Health Service, and would also assure cooperation between his organization and the Department of Agriculture.

The PRESIDENT pro tempore. The amendment will be received and lie on the table. The clerk will state the next bill on the calendar.

BILLS PASSED OVER

The bill (S. 865) to provide for the striking of medals in lieu of coins for commemorative purposes, was announced as next in order.

Mr. JOHNSON of Colorado. Over.

The PRESIDENT pro tempore. The bill will be passed over.

BONUS PAYMENTS ON WHEAT AND CORN

The bill (S. 669) to provide for the payment of a bonus of 30 cents per bushel on wheat and corn produced and sold between January 1, 1945, and April 18, 1946, was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDENT pro tempore. The bill will be passed over.

Mr. BARKLEY. Mr. President, in regard to the bill just called, I think it is identical with a bill which was on the calendar in the last Congress, which went over because of an emergency sit-

uation existing in the Senate at that time, with some degree of assurance on my part, as majority leader, at that time, that the bill would be considered. I realize that it is a bill that may arouse some controversy, and therefore involve some discussion. But in view of my previous commitment, when I occupied a different status here in the Senate, I hope that whatever the Senate may wish to do about the bill itself, there will be given an opportunity to consider it before the adjournment of Congress.

BILLS PASSED OVER

The resolution (S. Res. 25) amending rule XXII relating to cloture, was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDENT pro tempore. The resolution will be passed over.

The bill (S. 354) to incorporate the Federal City Charter Commission, was announced as next in order.

Mr. JOHNSTON of South Carolina. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 866) to establish a national housing objective and the policy to be followed in the attainment thereof, to facilitate sustained progress in the attainment of such objective and to provide for the coordinated execution of such policy through a National Housing Commission, and for other purposes.

SEVERAL SENATORS. Over!

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 637), to amend the Civil Service Retirement Act of May 29, 1930, as amended, was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 408), to repeal section 13b of the Federal Reserve Act, to amend section 13 of the said act, and for other purposes, was announced as next in order.

Mr. WHERRY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

MINING OF COAL AND OTHER MINERALS ON LANDS ACQUIRED BY THE UNITED STATES

The bill (S. 1081) to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

Mr. RUSSELL. Mr. President, I should like to know what is in the bill.

The PRESIDENT pro tempore. The Senator from Georgia asks for an explanation.

Mr. BUTLER. Mr. President—

The PRESIDENT pro tempore. The Senator from Nebraska is recognized for 5 minutes.

Mr. BUTLER. In the absence of the Senator from Wyoming [Mr. ROBERTSON], I will say very briefly that the purpose is to centralize the management of minerals in all Federal lands in the

hands of one department, as recommended by the Secretary of the Interior in his annual report last year, and likewise by a special Senate committee investigating petroleum resources, in its recommendations dated January 21 of this year.

The bill does not relate to deposits of metals, as it is felt this matter should be handled by separate legislation. It does not apply at all to the question of title to "tidelands or submerged lands." It does not alter the disposition of receipts for mineral leases on these lands.

Mr. RUSSELL. Mr. President, does the bill involve any subsidy or any cost to the Government?

Mr. BUTLER. It does not.

The PRESIDENT pro tempore. Is there objection?

Mr. HATCH. I object.

The PRESIDENT pro tempore. The bill will be passed over.

VETERANS' HOUSING PROGRAM—REDUCTION OF AUTHORIZATION OF PREMIUM PAYMENTS

The bill (S. 1154), to amend the Veterans' Emergency Housing Act of 1946, was announced as next in order.

The PRESIDENT pro tempore. Is there objection?

Mr. BARKLEY. Mr. President, may we have a brief explanation of that bill?

Mr. CAPEHART. Mr. President, the bill is to reduce by \$325,000,000 an authorization previously made. The money is not needed. I shall read a letter which is in the report, from Frank R. Creedon, Housing Expediter.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. CAPEHART. I yield.

Mr. TAFT. Since this bill was recommended, is it not true that the Veterans' Emergency Housing Act has been entirely repealed by the Rent Control Act?

Mr. CAPEHART. It has been repealed almost entirely. I am not certain though, but what the bill should be passed. I read a portion of a letter addressed by Frank R. Creedon, Housing Expediter, to the Chairman of the RFC:

Under these circumstances it is apparent that a substantial portion of the amount authorized by Congress for premium payments will not be needed between now and December 31, 1947, which is the expiration date of the Veterans' Emergency Housing Act. Accordingly, I wish to advise you that \$335,000,000 of the original authorization of \$400,000,000 will not be required. Of the \$65,000,000 retained, \$50,000,000 represents the estimated cost of the premium payment plans and \$15,000,000 the cost of the access roads program.

Mr. BARKLEY. May I ask the Senator the date of that letter, whether before or after the Senate took action repealing the Veterans' Emergency Housing Act?

Mr. CAPEHART. The date of that letter is March 21, 1947.

Mr. BARKLEY. In any event, I suppose if that act was repealed it would do no harm to enact this bill. It is a Senate bill, and if the act has been repealed, the House would not take any action, I assume.

Mr. CAPEHART. I see nothing wrong with passing the bill.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Banking and Currency, with an amendment, in line 5, to strike out "\$100,000,000," and to insert "\$75,000,000."

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 11 (a) of the Veterans' Emergency Housing Act of 1946 is amended by striking out "\$400,000,000" and inserting in lieu thereof "\$75,000,000."

BILLS PASSED OVER

The bill (S. 299) to extend the reclamation laws to the State of Arkansas, was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDENT pro tempore. The bill will be passed over.

The bill (S. 309) designating American Indian Day, was announced as next in order.

SEVERAL SENATORS. Over!

The PRESIDENT pro tempore. The bill will be passed over.

CONVENTION OF WORLD'S WOMAN'S CHRISTIAN TEMPERANCE UNION

The bill (H. R. 1179) to aid in defraying the expenses of the Seventeenth Triennial Convention of the World's Woman's Christian Temperance Union to be held in this country in June 1947 was announced as next in order.

Mr. McGRATH. Over.

Mr. JOHNSON of Colorado. Mr. President, I should like to ask the Senator who objected to withhold the objection for a moment.

Mr. McGRATH. Very well.

Mr. JOHNSON of Colorado. Mr. President, I hope that objection will not be made to the passage of this bill. I do not want to detain the Senate longer than a moment, to call to the attention of Senators the fact that the bill provides for a very small appropriation—a token appropriation, more or less, which is a courtesy to the prominent foreign women who visited this country to attend the convention of the WCTU. It would be a discourtesy, as I see it, to these foreign women, were the bill to be rejected. It is a matter in which a precedent has been set. The last time the world convention of the WCTU was held in Washington, in 1937, a small appropriation was made. The convention has been held, and the WCTU has expended funds. In this particular instance, Mr. President, the bill would reimburse them for the expenditure of those funds. The foreign women who visited this country would feel that a discourtesy had not been done them; in fact, they would feel that a courtesy had been done them. I hope the Senator who asked that the bill go over will withdraw his objection.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. McGRATH. Mr. President, I originally objected to the passage of the

bill because I felt it would perpetuate a bad precedent, if it does not establish one. There are many organizations which bring national delegates to conventions held in the United States. I do not believe we should embark upon a course, especially now when we are becoming the capital of the world, under which the Government will defray a part of the expenses of these organizations, however worthy their purpose, their cause, and their practices. The organization in question is a private organization fostering issues with which many of us agree and with which some may disagree. I cannot help but feel, however, that it is no part of the business of the Government of the United States to enter into the sponsorship of such matters. Therefore, I ask that the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

BILL PASSED OVER

The bill (S. 1125) to amend the act entitled "An act to define the real property exempt from taxation in the District of Columbia," approved December 24, 1942, was announced as next in order.

Mr. CAIN. Mr. President, may I, as one interested in that bill, ask that it be temporarily laid aside, with the hope that we may come back to it later today.

The PRESIDENT pro tempore. The bill will be temporarily passed over.

RELIEF OF CERTAIN OFFICERS AND EMPLOYEES OF THE FOREIGN SERVICE

The bill (S. 1032) for the relief of certain officers and employees of the Foreign Service of the United States, was announced as next in order.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill, which is identical with House bill 3726, Calendar No. 593?

Mr. KNOWLAND. Mr. President, may we have an explanation of the bill.

The PRESIDENT pro tempore. The Senator from California asks for an explanation of the bill.

Mr. WILEY. Mr. President, this is one of a series of bills which have been considered by previous Congresses which would have the effect of reimbursing certain officers and employees of the Foreign Service of the United States for losses of personal property by reason of war conditions prevailing in the world during recent years.

Similar bills relating to other individuals were passed in both the Seventy-eighth and Seventy-ninth Congresses and became, respectively, Private Law 145 and Private Law 13.

The committee has amended the bill to remove therefrom the claim of Douglas Henderson whose household effects were pilfered between July 1943, and March 1944, in shipment from New Orleans to Cochabamba, Bolivia, being of the opinion that presumably this is unrelated to enemy activity.

The PRESIDENT pro tempore. The Chair has called attention to the fact that the Senate bill is identical with House bill 3726. Is there objection to substituting the House bill for the Senate bill and to immediate consideration of the House bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 3726) for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war conditions.

The PRESIDENT pro tempore. The Chair calls the attention of the Senator from Wisconsin to the fact that an amendment of the bill should be made, inasmuch as the Senate bill strikes out on line 16, page 2, "Douglas Henderson, \$790.50." Therefore the House bill should be amended in that respect.

Mr. WILEY. Mr. President, I offer the amendment, to House bill 3726, on page 2, line 16, to strike out "Douglas Henderson, \$790.50."

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The PRESIDENT pro tempore. Without objection, Senate bill 1032 is indefinitely postponed.

PRINTING OF SENATE PROCEEDINGS IN THE RECORD

The resolution (S. Res. 121), prohibiting under certain conditions the printing in the body of the CONGRESSIONAL RECORD of matter offered as a part of the remarks of a Senator, was announced as next in order, and was read as follows:

Resolved, That hereafter no written or printed matter shall be offered or received for printing in the body of the CONGRESSIONAL RECORD as part of the remarks of any Senator unless such matter (1) shall have been read orally by such Senator on the floor of the Senate, or (2) is offered and received for printing in such manner as will indicate clearly that the contents thereof were not read orally by such Senator on the floor of the Senate. No request shall be entertained by the Presiding Officer to suspend by unanimous consent the requirements of this resolution.

SEVERAL SENATORS. Over!

Mr. JENNER. Mr. President, I should like to ask the Senators who ask that the resolution be passed over to withhold their objection until I can explain the resolution. The resolution came to the Committee on Rules and Administration as a suggestion to benefit the RECORD. The resolution relates to two matters. First it provides that nothing shall be printed in the RECORD unless it shall have been read orally from the floor, or unless it is offered and received for printing in such manner as will indicate clearly that the contents thereof were not read orally by the Senator on the floor of the Senate. It would have the effect, for one thing, of reducing the bulk of the RECORD and therefore the printing cost. The resolution was agreed to unanimously in the Committee on Rules and Administration. The Senator from Arizona [Mr. HAYDEN], who was for many years chairman of the Committee on Printing and who has had much experience with this particular subject, ap-

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF AGRICULTURE.

Hon. ARTHUR CARPER,
Chairman, Committee on Agriculture
and Forestry,
United States Senate.

DEAR SENATOR: Further reference is made to your letter of February 12, 1947, requesting a report on H. R. 597, a bill "To protect American agriculture, horticulture, livestock, and the public health by prohibiting the unauthorized importation into, or the depositing in the territorial waters of, the United States of garbage derived from products originating outside of the continental United States, and for other purposes."

The proposed legislation would provide authority, not now available, to control the handling of garbage derived from products originating outside of the continental United States in manners which would remove the risk of such garbage being a means of introducing pests into our country. The bill proposes that the owner or operator, or the master or other person in charge, of any vessel, railway car, aircraft, or other vehicle which has garbage aboard shall handle or dispose of it under provisions which will provide protection against the introduction or dissemination of pests or diseases that may be contained in the garbage. The proposed legislation would authorize the Secretary of Agriculture to designate employees of the United States Department of Agriculture and other agencies of the Government to enforce the provisions of the bill, and to license garbage collectors who would have authority to collect and dispose of garbage under provisions designated to provide appropriate safeguards.

It is well established that garbage derived from products originating outside of the continental United States contains living disease organisms and living insect pests which do not occur within our country. The introduction and establishment of such diseases or pests would be inimical to agriculture and public health and could easily be the cause of excessive expenditures and losses. Reference to a single disease of livestock, the foot-and-mouth disease, illustrates the need for the control of garbage as would be authorized by the proposed legislation. The outbreak of foot-and-mouth disease which occurred in California in 1929 was traced to trimmings of fresh meat brought into the country as stores by a merchant steamship. The outbreak of the same disease which took place in California in 1942 was associated with foreign garbage, containing meat scraps, which was removed and fed to hogs. Some 110,000 animals were slaughtered as part of the effort to eliminate the 1924 outbreak of this destructive disease of livestock.

The authority and procedures that are prescribed in the proposed legislation would permit reducing to a minimum the risk of introducing diseases and insect pests that may be contained in garbage. The carrying out of these practices would afford a maximum and much-needed protection to our agriculture and public health. With the authorization and procedures proposed and by using cooperative practices between various governmental agencies that could be carried out to provide the necessary safeguards in handling and disposing of garbage, the needed protection could be secured without unreasonable increased cost. The provisions to provide for enforcement of the proposed legislation could be added to the duties of existing agencies and under the authority of the Secretary of Agriculture and leadership, coordination, and responsibility for administration with units of the Depart-

ment engaged in the enforcement of plant and animal quarantines.

It is suggested that, by reason of the present status of the Philippine Islands, it may be desirable to strike from the definition of the term "United States" on line 22 of page 2 of the bill the words "Philippine Islands and the."

The Department considers the legislation proposed in H. R. 597 to be in the public interest, the operational procedures provided to be practicable, and it recommends that the bill be enacted.

The Director of the Bureau of the Budget has advised that if the bill is amended by including a new section as suggested by the Federal Security Agency, an addition which is also acceptable to this Department, there would be no objection by the Bureau of the Budget to the enactment of the proposed legislation. The new section would provide that, "Nothing in this act shall be construed as in any way affecting the authority of the Surgeon General under page G of title III of the Public Health Service Act, as amended (42 U. S. C. 264-272)."

Sincerely yours,

CLINTON P. ANDERSON,
Secretary.

MINING OF COAL AND OTHER MINERALS
ON LANDS ACQUIRED BY THE UNITED
STATES

Mr. BUTLER. Mr. President, a moment ago when Senate bill 1081, Calendar No. 162 was called, the Senator from New Mexico [Mr. HATCH] made objection.

Mr. HATCH. Mr. President, I objected on behalf of another Senator. He has since entered the Chamber, and I withdraw the objection.

The PRESIDENT pro tempore. Without objection, the Senate will recur to Senate bill 1081, Calendar No. 162. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (S. 1081) to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States, which had been reported from the Committee on Public Lands with amendments.

The first amendment of the Committee on Public Lands was, in section 2, page 1, line 9, after the word "extended", to insert "including such lands acquired under the provisions of the act of March 1, 1911 (36 Stat. 961, 16 U. S. C., sec. 552)."

The amendment was agreed to.

The next amendment was, in section 2, on page 2, line 9, after the word "Acts", to insert "'Lease' includes 'prospecting permit', unless the context otherwise requires."

The amendment was agreed to.

The next amendment was, in section 3, on page 2, line 12, after the numeral "3", to strike out "All" and insert "Except where lands have been acquired by the United States for the development of the mineral deposits, by foreclosure or otherwise for resale, or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U. S. C., sec. 1611 and the following), all"; and in line 18, after the word "or", to insert "may hereafter be."

The amendment was agreed to.

The next amendment was, in section 7, on page 4, line 24, after the word "lands", to strike out the comma and the words "shall furnish to him", and insert "and."

The amendment was agreed to.

The next amendment was, in section 9, on page 5, line 25, after the words "the time of", to strike out "its" and insert in lieu thereof "their"; and on page 6, line 1, after the word "lease", to strike out "and who has filed an application for lease of such lands, and whose application was pending on March 1, 1947, shall be entitled to a preference right over others to a lease of such lands under the provisions hereof" and insert "who, on the date of this act, had pending an application for an oil and gas lease for any lands which on the date the application was filed was not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands without competitive bidding."

The amendment was agreed to.

The next amendment was, in section 10, on page 6, line 19, after the word "laws", to insert "to the extent that they are applicable."

The amendment was agreed to.

Mr. BUTLER. Mr. President, for the benefit of Senators who may be interested, I will say that the bill makes the rules which are now applicable to public lands applicable to acquired lands under the domain of the Department of the Interior.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield for a question?

Mr. BUTLER. I yield.

Mr. JOHNSON of Colorado. To what extent, if any, does this measure affect the title to lands in controversy in California?

Mr. BUTLER. The bill does not affect at all the question of title to tide-lands or submerged lands.

Mr. JOHNSON of Colorado. It affects them in no possible way in any State?

Mr. BUTLER. That is correct. That is stated in the report accompanying the bill.

Mr. O'MAHONEY. Mr. President, I rather think there is some error in that statement. After this bill passed the House there was a decision of the Supreme Court which changed the considerations involved in this bill. I have consulted the Senator from Idaho [Mr. DWORSHAK] and the Delegate from Alaska [Mr. BARTLETT]; and, at the request of the Department of the Interior, I offer the amendment which I send to the desk and ask to have stated.

Mr. BUTLER. Mr. President, may I inquire if the Senator is referring to order No. 265, House bill 174?

Mr. O'MAHONEY. Yes.

Mr. BUTLER. The Senate is considering order No. 162, Senate bill 1081.

Mr. O'MAHONEY. I am sorry. I was told that order No. 265, House bill 174, was being considered. I withdraw the amendment.

The PRESIDENT pro tempore. The question is on the engrossment and third reading of Senate bill 1081.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GOVERNMENT OF ALASKA

The bill (H. R. 174) to amend section 26, title I, chapter 1, of the act entitled "An act making further provision for a civil government for Alaska," and for other purposes, was announced as next in order.

Mr. O'MAHONEY. Mr. President, this is the measure which I thought was under consideration when I sent an amendment to the desk a few moments ago.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. KNOWLAND. Mr. President, I take it from the remarks which have been made that this bill relates only to Alaska?

Mr. O'MAHONEY. That is correct.

Mr. KNOWLAND. And it has no effect on any existing State.

Mr. O'MAHONEY. It has no effect on any State. I now offer the amendment which inadvertently I suggested in connection with the previous bill.

The PRESIDENT pro tempore. The amendment offered by the Senator from Wyoming will be stated.

The CHIEF CLERK. At the appropriate place in the bill it is proposed to insert the following:

Any rights or privileges acquired hereunder with respect to mining operations in land, title to which is transferred to a future State upon its admission to the Union and which is situated within its boundaries, shall be terminable by said State, and the said mining operations shall be subject to the laws of such State.

SEC. 2. Nothing in this act shall be deemed to affect or to impair any valid claims, rights, or privileges, including possessory claims, under the first proviso of section 8 of the act of May 17, 1884 (23 Stat. 26), arising under any other provision of law.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

EXTENSION OF CERTAIN WAR POWERS

The bill (S. 1297), to extend certain powers of the President under title III of the Second War Powers Act, was announced as next in order.

Mr. TAFT. Over.

Mr. WHITE. Mr. President, may I make a brief statement with reference to this measure?

The PRESIDENT pro tempore. The Senator from Maine is recognized for 5 minutes.

Mr. WHITE. This bill would accomplish two things. It would extend the definite authority of the Director of the Office of Defense Transportation over the movement of cars within the United States, for the ultimate purpose of making the widest distribution possible of transportation facilities, and would

extend that authority only until next January.

Mr. TAFT. Mr. President, I objected to it only because I understood it was covered in a bill already passed. The bill extending the War Powers Act contained this provision.

The PRESIDENT pro tempore. The bill will be passed over.

BILL PASSET OVER

The bill (S. 829) to provide for control and regulation of bank-holding companies and for other purposes, was announced as next in order.

Mr. DOWNEY. Over.

The PRESIDENT pro tempore. The bill will be passed over.

POSTGRADUATE SCHOOL AT MONTEREY, CALIF.

The Senate proceed to consider the bill (S. 229) to authorize the Secretary of the Navy to construct a postgraduate school at Monterey, Calif., which had been reported from the Committee on Armed Services, with amendments, on page 1, line 3, after the word "authorized", to strike out "and directed to provide by contract or otherwise for the construction of", and to insert "to acquire 606.592 acres of land upon which the United States of America now has an option with buildings thereon at Monterey, Calif., for the establishment of"; on line 9, to strike out "at Monterey, Calif."; on line 10, after the word "necessary", to insert "construction and alterations to provide"; on line 3, page 2, to strike out "\$28,750,000", and insert "\$2,500,000"; and to strike out sections 2 and 3, so as to make the bill read:

Be it enacted, etc., That the Secretary of the Navy is authorized to acquire 606.592 acres of land upon which the United States of America now has an option with buildings thereon at Monterey, Calif., for the establishment of a naval postgraduate school, including the necessary construction and alterations to provide school facilities, quarters, and collateral facilities and equipment, including the acquisition of the necessary land, at a cost not to exceed \$2,500,000: *Provided,* That contracts may be entered into without regard to the provisions of section 3709, Revised Statutes.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Secretary of the Navy to establish a postgraduate school at Monterey, Calif."

Mr. REVERCOMB. Mr. President, I have just noticed that the House bill 1379, which follows Senate bill 229, provides for the establishment of a naval postgraduate school. I am wondering if it is the same matter.

Mr. GURNEY. Mr. President, Senate bill 229 authorizes the purchase of a property on a specific location at an immense saving to the Government over the building of a new school. The Navy has an option on the buildings at Monterey, which is only for the physical requirements of the school. House bill 1379 proposes to establish the professorships and curriculum of the school.

Mr. BARKLEY. Mr. President, may I inquire of the Senator whether this

postgraduate course is taken after graduation from the Naval Academy at Annapolis?

Mr. GURNEY. It is after the Annapolis graduation. After the students have had a certain tour of duty they return and are appointed to this school.

Mr. BARKLEY. Is it open to students other than those who have graduated from the Naval Academy?

Mr. GURNEY. Yes. The Reserves commissioned in the Navy are just as eligible as are graduates of the Naval Academy.

Mr. BARKLEY. But they must have reached a certain status in education and experience in order to qualify for this school?

Mr. GURNEY. That is correct.

Mr. CONNALLY. How long a course is it?

Mr. GURNEY. From 2 to 3 years; after they have had 3 years of duty after being commissioned in the Navy.

Mr. CONNALLY. How many students is it planned to have?

Mr. GURNEY. There are approximately 1,500 in the line and 500 in the engineering service of the Navy.

Mr. CONNALLY. Is there any sort of temporary establishment like this at this time?

Mr. GURNEY. Such a course is now being conducted at Annapolis, but it is overcrowded, and at Annapolis they do not have the benefit of a law establishing the curriculum, and so forth, for the postgraduate course.

Mr. CONNALLY. Do they not have a school at Newport?

Mr. GURNEY. It is a line school at Newport, and it is not affected in any way or duplicated in any way.

Mr. CONNALLY. I thought the Senator said that half the students were in the line, and half in the engineering service.

Mr. GURNEY. The line schools are at Newport and Annapolis presently. This bill takes the one at Annapolis and moves it to Monterey Point and enables the Navy to carry on the kind of program they feel they must have and which our committee unanimously supported.

Mr. CONNALLY. What I am getting at is this: How many students are there?

Mr. GURNEY. Five hundred in the line and 500 in the engineers.

Mr. CONNALLY. So this would be a duplication if the men were not graduated from Annapolis?

Mr. GURNEY. Yes.

Mr. CONNALLY. So it is desired to move to Monterey?

Mr. GURNEY. To move the postgraduate course from Annapolis to Monterey; that is correct.

UNITED STATES NAVAL POSTGRADUATE SCHOOL

The bill (H. R. 1379) to establish the United States Naval Postgraduate School was considered, ordered to a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 18) to establish uniform qualifications of jurors in Federal courts, and for other purposes, was announced as next in order.

SEVERAL SENATORS. Over!

DIGEST OF
CONGRESSIONAL PROCEEDINGS
OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE

Division of Legislative Reports
(For Department staff only)

Issued July 25, 1947

For actions of July 24, 1947

80th-1st, No. 143

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HIGHLIGHTS: House agreed to 2nd conference report on agricultural appropriation bill. House agreed to conference report on Government corporations appropriation bill. House passed 2nd supplemental appropriation bill. Both Houses agreed to conference report on independent offices appropriation bill. House concurred in Senate amendments to mineral-leasing bill. House agreed to resolution for housing investigation. Rep. Cooley commended accomplishments regarding farm program in last few years. Senate committees reported bills to amend Marketing Agreement Act, change peanut-quota provisions, modify Research and Marketing Act provisions regarding appropriations, revise civil service retirement law, and authorize agriculture studies. Senate passed bill transferring Crab Orchard project to Interior. Senate passed War Civil functions appropriation bill. Rep. Shafer blamed Government wheat-flour buying for increased prices. Rep. Anderson introduced bill to facilitate admission of foreign farm labor.

HOUSE

- 1. AGRICULTURAL APPROPRIATION BILL.** Agreed to the 2nd conference report on this bill, H. R. 3601 (pp. 10103-9). Concurred in the school-lunch amendment with an amendment reducing the amount to \$65,000,000 and adding a provision that no part of the money be used for nonfood assistance (p. 10109).
- 2. GOVERNMENT CORPORATIONS APPROPRIATION BILL.** Agreed to the conference report on this bill, H. R. 3756 (pp. 10097-103). The conferees agreed to the following items: Provisions limiting the amount of assessments to be made against FCA corporations by FCA for supervisory or other services as follows: (a) Federal Farm Mortgage Corporation, \$400,000 (Senate figure; House, \$275,000; Budget estimate, \$421,302); (b) Federal Intermediate Credit Banks, \$131,250 (Senate figure; House, \$125,000; Budget estimate, \$296,286); (c) Production Credit Corporations, \$232,000 (Senate figure; House, \$160,000; Budget estimate, \$270,017); (d) Regional Agricultural Credit Corporation of Washington, D. C., \$29,000 (Senate figure; House, \$20,000; Budget estimate, \$67,273). There were no changes in the administrative-expense limitations in the House version, for these corporations. The conferees also agreed to the House authorizations for purchase of passenger vehicles: (a) Federal Intermediate Credit Banks, 10 vehicles, and (b) Production Credit Corporations, 15 vehicles. The conferees agreed with amendments to the language proposed in Secs. 307 and 308 of the General Provisions as carried in the House bill amending Secs. 104 and 101 of the Government

Corporations Control Act, respectively. The general effect of the amended language in Sec. 307 is to make clear that the proposed changes shall apply to budgets beginning with the fiscal year 1949 and that they will apply to funds for "expenditure for operating and administrative expenses." The amendment to Sec. 308 states that the proposed change will apply to mixed-ownership Government corporations "so long as these corporations have funds of or loans from the Government of the United States." The provision authorizing liquidation of the Tennessee Valley Associated Cooperatives, Inc., by the Treasury Department was not subject to change by the conferees.

3. SECOND SUPPLEMENTAL APPROPRIATION BILL, 1948. Passed with amendment this bill, H. R. 4347, which was reported by the Appropriations Committee earlier in the day (H. Rept. 1053) (pp. 10079-95). Rejected, 147-234, an amendment by Rep. Rankin, Miss., to increase the rural-delivery service (Post Office Department) item by \$500,000 (pp. 10093-4).

The bill includes \$2,000,000 for USDA flood control (Budget estimate, \$3,000,000); \$11,000,000 for the employees' loyalty program (CSC, \$3,500,000; FBI, \$7,500,000); and \$500,000 for the Commission on Organization of the Executive Branch.

Regarding the employees' loyalty program, the Committee report states: "The committee is not satisfied with the plans of the Civil Service Commission inasmuch as the major activity must, of necessity, fall on the Federal Bureau of Investigation. The Civil Service Commission's program contemplated a very elaborate set-up and more investigation on the part of the Commission than appears to be warranted... The Commission should restrict its activity to the barest minimum and should rely on the Federal Bureau of Investigation for investigative reports."

Concerning the Organization Commission the report states: "The Commission... comprises a group admirably suited to the task. The Committee is recommending an initial appropriation of \$500,000 for the Commission to begin its work. Inasmuch as the Commission has not yet had an opportunity to organize and to select staff personnel it has not been in a position to develop a detailed budget."

The report states as follows regarding the flood-control item: "The committee... provides language in the bill which makes the entire sum allowed available for actual work on the projects which are already under way. It was felt by the committee that the amounts for additional preliminary examinations and survey should be eliminated at this time. The \$2,000,000 recommended is to supplement programs already underway in the following watersheds..."

4. FARM CREDIT. H. R. 4309, as reported (see Digest 142), authorizes FCA to make direct loans to World War II veterans at 3% interest to acquire farms, farm equipment, and personal property. Loans on farm real estate would be secured by first mortgages with a limit of \$12,000 for a loan on any one farm, and loans on personalty would be secured by chattel mortgages with a limit of \$4,500 for any chattel-appraisal committees appointed by FCA, and the loans made would be limited 100 percent of the appraised value of the farm unit and personal property. The bill authorizes appropriation of initial sums of \$200,000,000 for real-estate loans and \$100,000,000 for equipment and personal-property loans, and thereafter such sums as may be necessary.

5. INDEPENDENT OFFICES APPROPRIATION BILL. Agreed to the conference report on this bill, H. R. 3839 (pp. 10069-72). (See also item 16.)

6. MINERAL LEASING. Concurred in the Senate amendments to H. R. 3022, which applies

to coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on acquire lands the disposal policies of the Mineral Leasing Acts now applicable to the public domain lands, whereby leases on such lands not in a known geologic stratum of a producing oil or gas field are issued to the first qualified applicant upon payment of a nominal filing fee; and provides that the heads of all land-administering agencies shall furnish complete descriptions and other pertinent data on lands affected to the Interior Department (p. 10095). This bill will now be sent to the President.

7. HOUSING INVESTIGATION. Passed without amendment H. Con. Res. 104, to provide for a joint investigation of the housing situation (pp. 10109-14).
8. FARM PROGRAM. Rep. Cooley, N. C., said: "In subtle fashion the steering committee of the Republican Party has been trying to lead the country to believe that although the Democratic Party had control of both Houses...for 14 years, it failed to provide the farmers...with a well-rounded, long-range farm program" and described the various phases of the farm program provided for in existing law (pp. 10122-7).
9. FOOT-AND-MOUTH DISEASE. Received the report of this Department on the Mexican campaign for the 30-day period ended June 28; to Agriculture Committee (p. 10129).
10. INFORMATION. The Expenditures in the Executive Departments Committee submitted a 2nd intermediate report on publicity and propaganda of the War Department (H. Rept. 1073)(p. 10129).
11. WATER POLLUTION. The Public Works Committee reported without amendment H. R. 3875, granting consent and approval of Congress to an interstate compact to control water pollution in New England (H. Rept. 1062)(p. 10129).
12. FARM BANKRUPTCY. The Judiciary Committee approved (but did not actually report) H. R. 4326, to extend the Farm Bankruptcy Act (p. D599).
13. COMMITTEE ASSIGNMENTS. Members were elected to committees as follows: Rep. Jackson, Wash., to Appropriations; Rep. Burleson, Tex., to Joint Committee on Printing (to take the place of Rep. Pickett, Tex.)(p. 10109).
14. RURAL ELECTRIFICATION. Rep. Rankin, Miss., criticized the reduction in the Budget estimate for REA, and Rep. Andersen, Minn., defended the reduction (pp. 10067-8, 10068-9).

SENATE

15. WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATION BILL, 1948. Passed, 78-5, with amendments this bill, H.R. 4002 (pp. 10180-7, 10206-7). The bill was reported with amendments by the Appropriations Committee earlier in the day (p. 10131). Sens. Gurney, Brooks, Ferguson, Wherry, Bridges, Revercomb, Thomas (Okla.), Overton, and Russell were appointed conferees (p. 10217).
16. INDEPENDENT OFFICES APPROPRIATION BILL, 1948. Agreed to the conference report on this bill, H.R. 3839, and concurred in the House amendments to certain Senate amendments (pp. 10175-8). This bill will now be sent to the President.
17. VETERANS' BENEFITS. Discussed and passed over H.R. 2181, relating to institutional on-farm training for veterans (pp. 10168, 10218-23).
The Public Lands Committee reported without amendment H.R. 3325, to enable Osage Indians who served in World War II to obtain loans under the Servicemen's Readjustment Act (S.Rept. 751) (p. 10217).

18. MARKETING. The Agriculture and Forestry Committee reported without amendment H.R. 452, to amend the Agricultural Adjustment Act relating to marketing agreements and orders (S.Rept. 717) (p. 10133).

The Agriculture and Forestry Committee reported without amendment H.R. 4124, to amend the peanut marketing quota provisions of the Agricultural Adjustment Act (S.Rept. 720) (p. 10133).

19. RESEARCH; APPROPRIATIONS. The Agriculture and Forestry Committee reported without amendment H.R. 4110, to amend the Research and Marketing Act so as to provide that not less than 20% of the funds "appropriated", rather than those "authorized to be appropriated", for general research shall be used by the State agricultural experiment stations for conducting marketing and research projects approved by the USDA (S.Rept. 719) (p. 10133).

20. LANDS. Passed without amendment H.R. 3043, to transfer the Crab Orchard Creek land utilization project and the Ill. Ordnance Plant to the Interior Department for use as a wildlife management area, except that lands not required for such area may be leased under certain conditions (pp. 10160, 10172-3). This bill will now be sent to the President.

The Rules and Administration Committee reported without amendment S.Res. 148, authorizing the Public Lands Committee to hold hearings at such times and places as it deems necessary (p. 10133).

Passed with amendment H.R. 3022, to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the U.S. (p. 10157). (See also item 6.)

21. PERSONNEL. The Civil Service Committee reported without amendment H.R. 4127, the omnibus retirement bill (S.Rept. 746) (p. 10133).

The Rules and Administration Committee reported with an amendment S.Res. 152, authorizing the Expenditures in the Executive Departments Committee to make additional expenditures and employ additional assistants (p. 10133).

22. AGRICULTURAL INVESTIGATIONS. The Rules and Administration Committee reported with additional amendments S. Res. 147, authorizing a study of agricultural legislation, and of trends, needs, and problems of agriculture (p. 10133).

23. NATIONAL FORESTS. The Public Lands Committee reported without amendment H.R. 3395, to add certain lands to the Modoc National Forest, Calif. (S.Rept. 716) (p. 10132).

The Agriculture and Forestry Committee reported without amendment H.R. 1826, making it a petty offense to enter any national-forest land while it is closed to the public (S.Rept. 718) (p. 10133).

24. FOREIGN AFFAIRS; The Foreign Relations Committee reported without amendment H.R. 4010, to authorize the Treasury Department and GPO to furnish, or to procure and furnish, administrative materials, supplies, and equipment to public international organizations on a reimbursable basis (p. 10133).

Discussed and passed over on request of several members H.R. 3342, the foreign information and educational exchange bill (pp. 10166-7).

25. PRICES. The Rules and Administration Committee reported with additional amendments S.Con.Res. 19, to establish a joint congressional committee to investigate high prices of consumer goods (p. 10133).

26. HOUSING. The Rules and Administration Committee reported with additional amendments S.Con.Res. 25, establishing a joint committee to investigate the entire housing field (p. 10133).

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. RANKIN) there were—ayes 46, noes 163.

Mr. RANKIN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] Two hundred and ninety-two Members are present, a quorum.

Mr. RANKIN. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. SHORT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and to include a resolution.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, I want to take the House entirely into my confidence. I assume that on that side and on this side there have been 40 people come to me to get my consent to their calling up bills by unanimous consent. Until I am better satisfied than I am now about some action the House may take on the matter it appears they are trying to transfer from the other body to this body, I think we will not have anything else by unanimous consent. I regret it very much. However, Mr. Speaker, on account of conditions in his family at home, I will not object to the gentleman from Wyoming [Mr. BARRETT] getting unanimous consent at this time to correct an error in a bill.

The SPEAKER. Does that apply to extensions of remarks?

Mr. RAYBURN. It does, for today.

The SPEAKER. In view of the statement of the gentleman from Texas, the Chair cannot entertain the request of the gentleman from Missouri.

MINERAL LEASING ACT FOR ACQUIRED LANDS

Mr. BARRETT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3022) to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Page 2, line 4, after "437," insert "30."

The SPEAKER. Is there objection to the request of the gentleman from Wyoming?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

FILING OF CONFERENCE REPORTS

Mr. WOLCOTT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WOLCOTT. Mr. Speaker, if I understood correctly the statement of the gentleman from Texas, it would not apply to the business of the House with respect to filing conference reports.

The SPEAKER. As the Chair understood the position of the minority leader, that applies to unanimous-consent requests on anything today.

Mr. RAYBURN. I will not object to filing conference reports, Mr. Speaker.

The SPEAKER. Those, of course, are privileged.

Mr. WOLCOTT. For the purpose of crystalizing this issue, can the Chair entertain a unanimous-consent request that a committee have until midnight to file a report, and that conferees have until midnight tonight to file a conference report?

The SPEAKER. The Chair would suggest the gentleman submit that to the minority leader. The Chair is perfectly willing to entertain such a request.

Mr. WOLCOTT. I understand that it has been submitted to him indirectly.

Mr. RAYBURN. I will say that for today I will not object to the filing of conference reports or to requests to have until midnight tonight to file them. I will not say that that agreement will carry on for tomorrow and Saturday.

Mr. WOLCOTT. I thank the gentleman.

FEDERAL DEPOSIT INSURANCE CORPORATION

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the House Committee on Banking and Currency have until midnight tonight to file a report on the bill (S. 1070) to provide for the cancellation of the capital stock of the Federal Deposit Insurance Corporation and the refund of moneys received for such stock, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

S. 1361 AND SENATE JOINT RESOLUTION 148

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House may have until midnight tonight to file conference reports on the bill, S. 1361, and the resolution, Senate Joint Resolution 148.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

Mr. SABATH. Mr. Speaker, reserving the right to object, what are these conference reports? I do not remember the bill and resolution by their number.

Mr. WOLCOTT. Mr. Speaker, the bill, S. 1361, is the bill which activates the USHA in respect to local housing authorities paying the difference between the statutory limitation and the amount it actually costs to construct these dwellings.

Mr. SABATH. What are the conferees agreeing on?

Mr. WOLCOTT. We have not agreed on anything yet. We are in conference this afternoon but we hope to agree before very long. We would like to file the reports tonight so that it will be in order to take them up tomorrow if we do agree.

The resolution has to do with consumer credit.

Mr. SABATH. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The conference reports and statements follow:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1361) to amend the United States Housing Act of 1937 so as to permit loans, capital grants, or annual contributions for low-rent-housing and slum-clearance projects where construction costs exceed present cost limitations upon condition that local housing agencies pay the difference between cost limitations and the actual construction costs, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House numbered 1 and agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"Sec. 2. The United States or any State or local public agency assisted by Federal funds made available with respect to housing shall continue to have the right to maintain an action or proceeding to recover possession of any housing accommodations (except as provided in the proviso of section 209 (b) of the Housing and Rent Act of 1947) operated by it where such action or proceeding is authorized by the statute or regulations under which such accommodations are administered, but no such action or proceeding shall be maintained prior to March 1, 1948, if in the opinion of the administering authority such action or proceeding would result in undue hardship for the occupants of such housing accommodations, or unless in the opinion of such authority other housing facilities are available for such occupants."

And the House agree to the same.

JESSE P. WOLCOTT,
RALPH A. GAMBLE,
JOHN C. KUNKEL,
HENRY O. TALLE,
BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,

Managers on the Part of the House.

JOE MCCARTHY,
J. WM. FULBRIGHT,
JOHN J. SPARKMAN,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1361) to amend the United States Housing Act of 1937 so as to permit loans, capital grants, or annual contributions for low-rent-housing and slum-clearance projects where construction costs exceed present cost limitations upon condition that local housing agencies pay the difference between cost limitations and the actual construction costs, submit the following

statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: The first section of the Senate bill added a new subsection (6) to section 15 of the United States Housing Act of 1937 providing in part that notwithstanding the provisions of subsection (5) or of any other section of such act the Authority is authorized to make capital grants, loans, or annual contributions for low-rent-housing or slum-clearance projects, in the full amount of any sums previously allocated, to any public housing agency, at the request of such agency, upon condition that such agency will pay, or cause to be paid, by the State or political subdivision, the difference between the cost limitations prescribed in subsection (5) and the actual cost of construction per family dwelling unit or per room during the period of building construction. The House amendment modified this provision so as to provide that the amount to be so paid, or caused to be paid, should be such proportion of the total development cost of the project as the amount of the average actual cost per family dwelling unit of the items covered by the applicable cost limitations prescribed in subsection (5) in excess thereof bears to such average actual cost; and a proviso was added to the effect that the amount of any such payment should be excluded from the base on which the maximum amount of any capital grants, loans, or annual contributions authorized by such act are calculated. The Senate recedes.

Amendment No. 2: This amendment added to the bill a section 2 which inserted at the end of the second sentence of section 2 (1) of the United States Housing Act of 1937 a proviso prohibiting the Federal Public Housing Authority and all officers and employees thereof, during the period from the time of taking effect of the proviso until February 29, 1948, (1) from initiating or maintaining any action or proceeding to recover possession of any housing accommodations administered by such Authority, if such action or proceeding is based upon the fact that the income of the occupants of such housing accommodations exceeds the allowable maximum, and (2) from in any manner requiring any State or local public housing agency to take any action to recover possession of any housing accommodations administered by such agency, if the basis for requiring the State or local public housing agency to take such action is the fact that the income of the occupants of such housing accommodations exceeds the allowable maximum, unless other adequate housing facilities are available for said occupants. The Senate bill contained no similar provision.

The committee of conference have agreed upon a substitute for the House section which provides that the United States or any State or local public agency assisted by Federal funds made available with respect to housing shall continue to have the right to maintain an action or proceeding to recover possession of any housing accommodations (except as provided in the proviso of sec. 209 (b) of the Housing and Rent Act of 1947) operated by it where such action or proceeding is authorized by the statute or regulations under which such accommodations are administered, but no such action or proceeding shall be maintained prior to March 1, 1948, if in the opinion of the administering authority such action or proceeding would result in undue hardship for the occupants of such housing accommodations, or unless in the opinion of such authority other housing facilities are available for such occupants.

JESSE P. WOLCOTT,
RALPH A. GAMBLE,
JOHN C. KUNKEL,
HENRY O. TALLE,
BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,

Managers on the Part of the House.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 148) to authorize the temporary continuation of regulation of consumer credit, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the joint resolution and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That after November 1, 1947, the Board of Governors of the Federal Reserve System shall not exercise consumer credit controls pursuant to Executive Order Numbered 8843, and no such consumer credit controls shall be exercised after such date except during the time of war beginning after the date of enactment of this joint resolution or any national emergency declared by the President after the date of enactment of this joint resolution."

And the House agree to the same.

That the House recede from its amendment to the title.

JESSE P. WOLCOTT,
RALPH A. GAMBLE,
JOHN C. KUNKEL,
HENRY O. TALLE,
BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,

Managers on the Part of the House

HOMER CAPEHART,
RALPH E. FLANDERS,
JOHN BRICKER,
A. WILLIS ROBERTSON,
BURNET R. MAYBANK,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 148) to authorize the temporary continuation of regulation of consumer credit, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate joint resolution authorized the Board of Governors of the Federal Reserve System to continue to exercise consumer credit controls pursuant to Executive Order No. 8843 until December 31, 1947, with the proviso that no such regulations should fix a maximum maturity of installment credit of less than 24 months or require a down payment in excess of 20 percent of the purchase price. It further provided that except during any war beginning after December 31, 1947, or any national emergency proclaimed by the President after such date, no such consumer credit controls should be exercised after such date.

The House amendment struck out all of the Senate joint resolution after the enacting clause and inserted an amendment in the nature of a substitute providing that after the date of enactment of the joint resolution the Board of Governors of the Federal Reserve System shall not exercise consumer credit controls pursuant to Executive Order No. 8843 and, except during the time of war beginning after the date of enactment of the joint resolution or any national emergency declared by the President after the date of enactment of the joint resolution, no such consumer credit controls shall be exercised hereafter.

The substitute agreed to in conference provides that after November 1, 1947, the Board of Governors of the Federal Reserve System shall not exercise consumer credit controls pursuant to Executive Order No. 8843, and that no such consumer credit controls shall be exercised after such date except during the time of war beginning after

the date of enactment of this joint resolution or any national emergency declared by the President after the date of enactment of this joint resolution.

The House recedes from its amendment to the title.

JESSE P. WOLCOTT,
RALPH A. GAMBLE,
JOHN C. KUNKEL,
HENRY O. TALLE,
BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,

Managers on the Part of the House.

Mr. ANDREWS of New York. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDREWS of New York. May I ask the minority leader if the policy which he announced would apply for the rest of the day so far as any unanimous-consent requests are concerned would apply to requests to take bills from the Speaker's desk which have passed the House unanimously for the purpose of agreeing to those bills with Senate amendments.

Mr. RAYBURN. My objection would apply to that also.

Mr. ANDREWS of New York. Would that be in force tomorrow also?

Mr. RAYBURN. That is a question that somebody else can answer besides me.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3131) entitled "An act to extend for the period of 1 year the provisions of the District of Columbia Emergency Rent Act, approved December 2, 1941, as amended."

The message also announced that the Senate recedes from its amendment No. 2 to the above-entitled bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 758) entitled "An act to promote the national security by providing for a National Security Organization, which shall be administered by a Secretary of National Security, and for a Department of the Army, a Department of the Navy, and a Department of the Air Force within the National Security Organization, and for the coordination of the activities of the National Security Organization with other departments and agencies of the Government concerned with the national security."

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1721. An act conferring jurisdiction upon the United States District Court for the Western District of Washington to hear, determine, and render judgment upon any claim arising out of injuries sustained by G. R. Below, late of Seattle, Wash.

GOVERNMENT CORPORATIONS APPROPRIATION BILL

Mr. PLOESER submitted the following conference report and statement on the

vides that the Government of the United States shall control the export of oil and petroleum products. It does not say they cannot be exported. It simply provides that the Government shall control the export. It further provides that no oil or gasoline shall be exported if in the opinion of the Government it will become necessary to ration our own people in the use of gasoline and fuel oil. I think the measure is a splendid one and should be passed. I hope if we cannot have it passed at the present time favorable action can be taken upon it at a later date. The American people are vitally interested in this particular piece of legislation.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

Mr. MOORE. Over.

The PRESIDENT pro tempore. The bill will be passed over.

Mr. COOPER. Mr. President, in view of my objection and the statement just made by the Senator from Indiana I wish to speak briefly on the subject, and state my objections to the bill. First, the subject matter is already covered by Public Law 188 which authorizes the Secretary of Commerce to control the export of petroleum. This bill is based upon the idea that there is a shortage of these products in the United States. Evidence heard by the committee which considered export control during the course of several weeks was to the effect that there was not a shortage in the United States as a whole, but only in certain areas.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. CAPEHART. One of the areas the Senator is thinking about is Indiana and the Middle West.

Mr. COOPER. And one is my own State.

Mr. CAPEHART. If there is a shortage in one portion of the United States it is just as important to that section as if there were a shortage in the entire United States.

Mr. COOPER. The chief reason for the introduction of the two bills is the fact that a certain amount of petroleum was shipped to Russia in June. There was much discussion about it. I think what was said was greatly exaggerated. The fact was that 700,000 barrels were shipped, which amounts to one-quarter of the average annual export. The total annual export is equal to one-half a day's production in the United States. I think what the proposed legislation amounts to is an embargo. If we want to place an embargo upon the shipment of oil, that is a political question, not an economic one, and should be acted upon hastily.

Mr. CAPEHART. Is the Senator in favor of sending American dollars to Greece and Turkey to stop communism, and then sending petroleum products to Russia to help her propagate communism in Turkey and Greece and other parts of the world? I for one am opposed to such action.

Mr. COOPER. The Senator has asked a question which has only one answer, and which is not related to the question. I am saying that it is a part of the

world-trade situation. I do not think it should be handled in this rather hasty manner.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. REVERCOMB. I want to put this question to the Senator from Kentucky: He has just stated that some 700,000 barrels of oil were shipped to Russia in June.

Mr. COOPER. Yes.

Mr. REVERCOMB. Has that shipment been completed, or is oil still being shipped to Russia?

Mr. COOPER. I cannot answer. The fact is that the yearly exports to Russia have been about 2,800,000 barrels. The 700,000 barrels which were shipped constitute the average quarterly shipment. The yearly total amounts to about one-half a day's production of the United States. I am not saying it should be done. I am saying that it is a political question. If it is a matter of embargo it should be considered seriously and not acted upon on a day's notice.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. REVERCOMB. I wish to say in passing that I heartily adopt the view which has been expressed here that we are absolutely crossing ourselves up when we spend money to stop communism and then ship oil to build up and propagate it.

Mr. COOPER. I have not adopted a position on this matter.

Mr. REVERCOMB. I am not saying that the Senator from Kentucky has. I am expressing my own views, in view of what has been said here.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. TAFT. It is true that the Secretary of Commerce has all the powers under the Export Control Act that are given in the proposed legislation. The language of the act is not expressed quite so forcibly. The Secretary does not have to make the same declaration as provided by the proposed legislation. But the Secretary has such powers, and he has the responsibility just as he would have if the bill were passed. I think he has the necessary power. If we fail to pass this bill it is only because, I would say, he already has that power.

Mr. COOPER. The Senator is exactly correct. He already has been given the power that is attempted to be given under the proposed legislation.

Mr. REVERCOMB. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. REVERCOMB. If the Secretary today has the power, it is very apparent he is not using it.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. COOPER. I yield.

Mr. CAPEHART. If the Secretary of Commerce has the power, then what objection can there be on the part of any Senator to passing the legislation which is more specific and direct? In one breath we say that the Secretary of Commerce has the power to do that which is provided in the bill, which the able Sena-

tor from Kentucky thinks is perfectly proper. In the next breath he is opposed to the adoption of this simple bill which is specific and directs the Secretary of Commerce to do a certain thing, and there will be no question about it if the Secretary of Commerce knows that that is what the Congress wishes done at this time.

Mr. COOPER. I point out that the bill, designed to reach one situation, would in effect cripple all the ordinary and usual channels of trade with all countries.

MINING OF COAL AND OTHER MINERALS ON LANDS ACQUIRED BY THE UNITED STATES

Mr. BUTLER. Mr. President, on the call of the calendar yesterday Senate bill 1081, Calendar No. 162, was passed. I am told that there is now lying on the desk House bill 3022 which covers the identical subject. House bill 3022 requires a technical amendment. I ask that the Chair lay the House bill before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate a bill coming over from the House of Representatives.

The bill (H. R. 3022) to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States, was read twice by its title.

Mr. BUTLER. I ask unanimous consent that the Senate proceed to consider the House bill.

The PRESIDENT pro tempore. Is there objection?

There being no objection, the Senate proceeded to consider the bill (H. R. 3022) to promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

Mr. BUTLER. The amendment I offer to the House bill is on page 2, line 4, after the numerals "437", to insert "30."

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 3022) was read the third time and passed.

The PRESIDENT pro tempore. Senate bill 1081 will be indefinitely postponed.

SHIPMENTS OF OIL TO RUSSIA

Mr. LUCAS. Mr. President—

The PRESIDENT pro tempore. The Senator from Illinois is recognized for five minutes.

Mr. LUCAS. Mr. President, I wish to discuss briefly the two bills, House bill 4042 and Senate bill 1653, Calendar No. 732 and 733. These bills were introduced by the Senator from Indiana [Mr. CAPEHART].

It has been constantly bandied back and forth over the country, and has been said on the floor of the Senate, that we are trying to stop communism in the Middle East and yet we are shipping oil to Russia. That statement makes a good political argument, and I can under-

stand why some Senators and some Members of the House are willing to make such a statement. The truth of the matter, however, is that we should get our facts straight as to exactly what is happening with respect to the oil situation in Russia.

Some time ago I made a speech on the floor of the Senate discussing this entire question, and I simply wish to repeat one or two things I said at that time. I said:

In 1945 we shipped 5,000,000 barrels of oil to Russia, including lend-lease shipments. In 1946 our exports of oil to Russia declined to 2,500,000 barrels. By the end of June this year, we exported about 730,000 barrels of oil, which is at the yearly rate of about 1,500,000 barrels. Year by year our exports to Russia are declining in volume. Seven hundred and thirty thousand barrels sounds like a considerable amount of oil, however, to the man in the street, and particularly does it sound like a considerable amount to the farmer who is beginning to be pinched by a lack of fuel oil and gasoline. But let us get one more fact into the record. The 730,000 barrels of oil we exported to Russia in the first 6 months of this year is equivalent to the petroleum we consume in this country in 3½ hours.

In other words, if we were ever compelled to ration petroleum products in this country, by cutting off the export of every drop of oil to the Soviet Union we could postpone that rationing by 3½ hours.

Let us look at another fact. The 730,000 barrels exported to Russia compares with the actual production in the United States during every day in the year of 5,000,000 barrels of oil.

It is not a question of rationing oil because a little of it is going to Russia. If rationing becomes necessary it will be because of lack of adequate transportation in the Midwest, as everyone who knows anything about this problem is aware.

There is no basis for the controversy raging over this question, because we cannot compare the oil which is going to Russia now with the scrap iron which we shipped to Japan previous to Pearl Harbor. The experts tell us that oil, especially aviation gas, cannot be kept longer than a period of 6 months. At that time it is in such a deteriorated state that it affects the working mechanism of an engine in a way which causes the engine not to work.

So whatever the Russians have done with this oil in no way impairs our security or national defence. What they are doing with it, as I understand, is receiving it on the Siberian coast through the Port of Vladivostok, for the purpose of using it there.

Then again the Russians recently made a contract with England to export oil to England from the Russian oil fields through the Black Sea.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CAPEHART. The Senator is taking the position that the only country to which we export oil is Russia. The bill covers the export of all oil to all countries.

Mr. LUCAS. I understand that but the Senator made an argument about communism.

Mr. CAPEHART. And I shall continue to do so.

Mr. LUCAS. I know the Senator will continue to make that argument. That was the basis of his plea for the passage of the bill, as he stated a moment ago on the floor of the Senate.

Mr. CAPEHART. I am opposed to shipping oil to Russia from the west coast and sending dollars from the east coast to keep them going.

Mr. LUCAS. I understand the Senator's position exactly. The only thing I was trying to do was to make plain a few facts. We have an abundance of rumor and political innuendo on these questions, but we get very few facts.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. LUCAS. In a moment. I have only 5 minutes. The Senator from Indiana can reply in his own time.

What surprises me is that the able Senator from Indiana, who is always talking about the free-enterprise system, favors a bill through which he would have this country regiment and control oil shipments. It is amazing to see the Senator advocate a return to oil control, which goes directly into the teeth of the free-enterprise system.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. LUCAS. I yield.

Mr. CAPEHART. The argument which the able Senator from Illinois uses is the same argument to which I have listened for 2½ years when we have endeavored to discuss the communistic issue. The same argument is made every time. Those who are opposed to communism and have been opposed to it for years, and have said they were opposed to it, have been trying to do something about it. They have been stopped every time by the same sort of arguments which the able Senator from Illinois is now using.

Mr. LUCAS. Mr. President, I do not yield further. I will answer the Senator on that point.

I am somewhat surprised that the Senator has, by innuendo, charged the Senator from Illinois with being in favor of communism.

Mr. CAPEHART. No; I did not charge the Senator from Illinois with being in favor of communism. I said—

Mr. LUCAS. Mr. President, I do not yield. The Senator ought to know the rules by this time, but I doubt that he does.

The Senator says that those who have been fighting communism in the Senate are opposed every time they seek to continue to fight it. By innuendo he leaves the implication that there are certain Members on this side of the aisle who are supporting communism. That is the innuendo and the implication which the Senator leaves, whether he intends to do so or not. I deny that charge. I challenge the Senator from Indiana to show any occasion upon which the Senator from Illinois ever upheld communism, at any time during his career as a public servant or as a private citizen. No one in the United States is fighting communism any harder than is the Senator from Illinois.

What the Senator from Indiana seeks to do by his bill, and by his argument, is to convey to the American people, as a

result of the small shipment of oil we are making to Russia, the idea that we are in favor of communism on the one hand, by shipment of a few million barrels of oil, while we are trying to stop it on the other hand. There is no rhyme or reason to the argument. There is no logic in it. It is politics, pure and simple.

Mr. CAPEHART. Mr. President, will the Senator yield?

Mr. LUCAS. I yield the floor, and the Senator can take whatever time he desires.

Mr. CAPEHART. Mr. President, let me say in answer to the able Senator from Illinois that he makes the point that there has been only a small amount of oil shipped to Russia. There is nothing to prevent a larger amount from being shipped to Russia. I do not know whether the Senator is correct or not, but I do know one thing, and that is that the Government has been very much concerned, and the oil industry has been very much concerned. Hearings have been held on the subject. It is a matter of common knowledge, and it has been published in every newspaper in America, that there is a shortage of oil and gasoline in America, and particularly a shortage of fuel oil. This winter we may have to allocate oil, particularly fuel oil. It has been stated in every newspaper in America that there is a possibility that we may have to allocate gasoline. But when a bill is introduced which seeks to have the Government control exports to all countries—not only Russia, but all countries—in order that our own people may not suffer, in order that we may not have to go back to the rationing of gasoline and fuel oil, it meets with opposition.

I continue to stand on the remarks which I made in respect to Russia and communism. I am not accusing the Senator from Illinois of being a Communist or of favoring communism.

Mr. FULBRIGHT. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. FULBRIGHT. What bill is under consideration?

The PRESIDENT pro tempore. House bill 4042, Calendar 732, which has been passed over.

Mr. CAPEHART. Mr. President, may I say in answer—

The PRESIDENT pro tempore. The time of the Senator from Indiana has expired.

UNIFICATION OF THE ARMED SERVICES— CONFERENCE REPORT

The Senate resumed the consideration of the report of the committee of conference on the bill (S. 758) to promote the national security by providing for a National Security Organization, which shall be administered by a Secretary of National Security, and for a Department of the Army, a Department of the Navy, and a Department of the Air Force within the National Security Organization, and for the coordination of the activities of the National Security Organization with other departments and agencies of the Government concerned with the national security.

Mr. LODGE. Mr. President, I should like to have the attention of the Senator from South Dakota [Mr. GURNEY].

80TH CONGRESS
1ST SESSION

H. R. 3022

IN THE SENATE OF THE UNITED STATES

JULY 24 (legislative day, JULY 16), 1947

Read twice, considered, amended, read the third time, and passed

AN ACT

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the “Mineral Leasing Act for
4 Acquired Lands”.

5 SEC. 2. As used in this Act “United States” includes
6 Alaska. “Acquired lands” or “lands acquired by the United
7 States” include all lands heretofore or hereafter acquired by
8 the United States to which the “mineral leasing laws” have
9 not been extended, including such lands acquired under the
10 provisions of the Act of March 1, 1911 (36 Stat. 961, 16

1 U. S. C., sec. 552). "Secretary" means the Secretary of
2 the Interior. "Mineral leasing laws" shall mean the Act
3 of October 20, 1914 (38 Stat. 741, 48 U. S. C., sec. 432);
4 the Act of February 25, 1920 (41 Stat. 437, 30 U. S. C.,
5 sec. 181); the Act of April 17, 1926 (44 Stat. 301, 30
6 U. S. C., sec. 271); the Act of February 7, 1927 (44 Stat.
7 1057, 30 U. S. C., sec. 281), and all Acts heretofore or
8 hereafter enacted which are amendatory of or supplementary
9 to any of the foregoing Acts. "Lease" includes "prospect-
10 ing permit" unless the context otherwise requires.

11 SEC. 3. Except where lands have been acquired by the
12 United States for the development of the mineral deposits,
13 by foreclosure or otherwise for resale, or reported as surplus
14 pursuant to the provisions of the Surplus Property Act of
15 October 3, 1944 (50 U. S. C., sec. 1611 and the following),
16 all deposits of coal, phosphate, oil, oil shale, gas, sodium,
17 potassium, and sulfur which are owned or may hereafter be
18 acquired by the United States and which are within the lands
19 acquired by the United States (exclusive of such deposits
20 in such acquired lands as are (a) situated within incor-
21 porated cities, towns and villages, national parks or monu-
22 ments, (b) set apart for military or naval purposes, or (c)
23 tidelands or submerged lands) may be leased by the Secre-
24 tary under the same conditions as contained in the leasing
25 provisions of the mineral leasing laws, subject to the pro-

visions hereof. The provisions of the Act of April 17,
1926 (44 Stat. 301), as heretofore or hereafter amended,
shall apply to deposits of sulfur covered by this Act wherever
situated. No mineral deposit covered by this section shall
be leased except with the consent of the head of the execu-
tive department, independent establishment, or instru-
mentality having jurisdiction over the lands containing
such deposit, or holding a mortgage or deed of trust secured
by such lands which is unsatisfied of record, and subject to
such conditions as that official may prescribe to insure the
adequate utilization of the lands for the primary purposes for
which they have been acquired or are being administered:
Provided, That nothing in this Act is intended, or shall be
construed, to apply to or in any manner affect any mineral
rights, exploration permits, leases or conveyances nor min-
erals that are or may be in any tidelands; or submerged
lands; or in lands underlying the three mile zone or belt
involved in the case of the United States of America against
the State of California now pending on application for re-
hearing in the Supreme Court of the United States; or in
lands underlying such three mile zone or belt, or the con-
tinental shelf, adjacent or littoral to any part of the land
within the jurisdiction of the United States of America.

SEC. 4. Nothing herein contained shall be deemed or
construed to (a) amend, modify, or change any existing law

1 authorizing or requiring the sale of acquired lands, or (b)
2 empower any commission, bureau, or agency of the Gov-
3 ernment to make a reservation of the minerals in the sale
4 of any acquired land: *Provided*, That any such sale or
5 conveyance of lands shall be made by the agency having
6 jurisdiction thereof, subject to any lease theretofore made,
7 covering the mineral deposits underlying such lands: *Pro-*
8 *vided further*, That nothing in this Act is intended, or shall
9 be construed to affect in any manner any provision of the
10 Act of June 30, 1938 (32 Stat. 1252), amending the Act
11 of June 4, 1920 (41 Stat. 813).

12 SEC. 5. Where the United States does not own all of
13 the mineral deposits under any lands sought to be leased
14 and which are affected by this Act, the Secretary is author-
15 ized to lease the interest of the United States in any such
16 mineral deposits when, in the judgment of the Secretary,
17 the public interest will be best served thereby; subject,
18 however, to the provisions of section 3 hereof. Where the
19 United States does not own any interest or owns less than
20 a full interest in the minerals that may be produced from
21 any lands sought to be leased, and which are or will be
22 affected by this Act and where, under the provisions of its
23 acquisition, the United States is to acquire all or any part
24 of such mineral deposits in the future, the Secretary may
25 lease any interest of the United States then owned or to

1 be acquired in the future in the same manner as provided
2 in the preceding sentence.

3 SEC. 6. All receipts derived from leases issued under the
4 authority of this Act shall be paid into the same funds or
5 accounts in the Treasury and shall be distributed in the same
6 manner as prescribed for other receipts from the lands affected
7 by the lease, the intention of this provision being that this
8 Act shall not affect the distribution of receipts pursuant to
9 legislation applicable to such lands: *Provided, however,* That
10 receipts from leases or permits for minerals in lands set apart
11 for Indian use, including lands the jurisdiction of which has
12 been transferred to the Department of the Interior by Execu-
13 tive order for Indian use, shall be deposited in a special fund
14 in the Treasury until final disposition thereof by the Congress.

15 SEC. 7. Upon request by the Secretary, the heads of all
16 executive departments, independent establishments, or instru-
17 mentalities having jurisdiction over any of the lands referred
18 to in section 2 of this Act shall furnish to the Secretary the
19 legal description of all of such lands, and all pertinent ab-
20 stracts, title papers, and other documents in the possession
21 of such agencies concerning the status of the title of the
22 United States to the mineral deposits that may be found in
23 such lands.

24 Abstracts, title papers, and other documents furnished to
25 the Secretary under this section shall be recorded promptly

1 in the Bureau of Land Management in such form as the
2 Secretary shall deem adequate for their preservation and use
3 in the administration of this Act, whereupon the originals
4 shall be returned promptly to the agency from which they
5 were received. Duly authenticated copies of any such ab-
6 stracts, title papers, or other documents may, however, be
7 furnished to the Secretary, in lieu of the originals, in the
8 discretion of the agency concerned.

9 SEC. 8. Nothing contained in this Act shall be construed
10 to affect the rights of the State or other local authorities to
11 exercise any right which they may have with respect to
12 properties covered by leases issued under this Act, including
13 the right to levy and collect taxes upon improvements, out-
14 put of mines, or other rights, property, or assets of any
15 lessee of the United States.

16 SEC. 9. Nothing in this Act shall affect any rights ac-
17 quired by any lessee of lands subject to this Act under the
18 law as it existed prior to the effective date of this Act, and
19 such rights shall be governed by the law in effect at the time
20 of their acquisition; but any person qualified to hold a lease
21 who, on the date of this Act, had pending an application
22 for an oil and gas lease for any lands subject to this Act which
23 on the date the application was filed was not situated within
24 the known geologic structure of a producing oil or gas field,
25 shall have a preference right over others to a lease of such

1 lands without competitive bidding. Any person holding a
2 lease on lands subject hereto, which lease was issued prior to
3 the effective date of this Act, shall be entitled to exchange
4 such lease for a new lease issued under the provisions of this
5 Act, at any time prior to the expiration of such existing
6 lease.

7 SEC. 10. The Secretary of the Interior is authorized to
8 prescribe such rules and regulations as are necessary and
9 appropriate to carry out the purposes of this Act, which
10 rules and regulations shall be the same as those prescribed
11 under the mineral leasing laws to the extent that they
12 are applicable.

Passed the House of Representatives July 23, 1947.

Attest:

JOHN ANDREWS,

Clerk.

AN ACT

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

JULY 24 (legislative day, JULY 16), 1947

Read twice, considered, amended, read the third time,
and passed

[PUBLIC LAW 382—80TH CONGRESS]

[CHAPTER 513—1ST SESSION]

[H. R. 3022]

AN ACT

To promote the mining of coal, phosphate, sodium, potassium, oil, oil shale, gas, and sulfur on lands acquired by the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Mineral Leasing Act for Acquired Lands".

SEC. 2. As used in this Act "United States" includes Alaska. "Acquired lands" or "lands acquired by the United States" include all lands heretofore or hereafter acquired by the United States to which the "mineral leasing laws" have not been extended, including such lands acquired under the provisions of the Act of March 1, 1911 (36 Stat. 961, 16 U. S. C., sec. 552). "Secretary" means the Secretary of the Interior. "Mineral leasing laws" shall mean the Act of October 20, 1914 (38 Stat. 741, 48 U. S. C., sec. 432); the Act of February 25, 1920 (41 Stat. 437, 30 U. S. C., sec. 181); the Act of April 17, 1926 (44 Stat. 301, 30 U. S. C., sec. 271); the Act of February 7, 1927 (44 Stat. 1057, 30 U. S. C., sec. 281), and all Acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the foregoing Acts. "Lease" includes "prospecting permit" unless the context otherwise requires.

SEC. 3. Except where lands have been acquired by the United States for the development of the mineral deposits, by foreclosure or otherwise for resale, or reported as surplus pursuant to the provisions of the Surplus Property Act of October 3, 1944 (50 U. S. C., sec. 1611 and the following), all deposits of coal, phosphate, oil, oil shale, gas, sodium, potassium, and sulfur which are owned or may hereafter be acquired by the United States and which are within the lands acquired by the United States (exclusive of such deposits in such acquired lands as are (a) situated within incorporated cities, towns and villages, national parks or monuments, (b) set apart for military or naval purposes, or (c) tidelands or submerged lands) may be leased by the Secretary under the same conditions as contained in the leasing provisions of the mineral leasing laws, subject to the provisions hereof. The provisions of the Act of April 17, 1926 (44 Stat. 301), as heretofore or hereafter amended, shall apply to deposits of sulfur covered by this Act wherever situated. No mineral deposit covered by this section shall be leased except with the consent of the head of the executive department, independent establishment, or instrumentality having jurisdiction over the lands containing such deposit, or holding a mortgage or deed of trust secured by such lands which is unsatisfied of record, and subject to such conditions as that official may prescribe to insure the adequate utilization of the lands for the primary purposes for which they have been acquired or are being administered: *Provided*, That nothing in this Act is intended, or shall be construed, to apply to or in any manner affect any mineral rights, exploration permits,

leases or conveyances nor minerals that are or may be in any tidelands; or submerged lands; or in lands underlying the three mile zone or belt involved in the case of the United States of America against the State of California now pending on application for rehearing in the Supreme Court of the United States; or in lands underlying such three mile zone or belt, or the continental shelf, adjacent or littoral to any part of the land within the jurisdiction of the United States of America.

SEC. 4. Nothing herein contained shall be deemed or construed to (a) amend, modify, or change any existing law authorizing or requiring the sale of acquired lands, or (b) empower any commission, bureau, or agency of the Government to make a reservation of the minerals in the sale of any acquired land: *Provided*, That any such sale or conveyance of lands shall be made by the agency having jurisdiction thereof, subject to any lease theretofore made, covering the mineral deposits underlying such lands: *Provided further*, That nothing in this Act is intended, or shall be construed to affect in any manner any provision of the Act of June 30, 1938 (32 Stat. 1252), amending the Act of June 4, 1920 (41 Stat. 813).

SEC. 5. Where the United States does not own all of the mineral deposits under any lands sought to be leased and which are affected by this Act, the Secretary is authorized to lease the interest of the United States in any such mineral deposits when, in the judgment of the Secretary, the public interest will be best served thereby; subject, however, to the provisions of section 3 hereof. Where the United States does not own any interest or owns less than a full interest in the minerals that may be produced from any lands sought to be leased, and which are or will be affected by this Act and where, under the provisions of its acquisition, the United States is to acquire all or any part of such mineral deposits in the future, the Secretary may lease any interest of the United States then owned or to be acquired in the future in the same manner as provided in the preceding sentence.

SEC. 6. All receipts derived from leases issued under the authority of this Act shall be paid into the same funds or accounts in the Treasury and shall be distributed in the same manner as prescribed for other receipts from the lands affected by the lease, the intention of this provision being that this Act shall not affect the distribution of receipts pursuant to legislation applicable to such lands: *Provided, however*, That receipts from leases or permits for minerals in lands set apart for Indian use, including lands the jurisdiction of which has been transferred to the Department of the Interior by the Executive order for Indian use, shall be deposited in a special fund in the Treasury until final disposition thereof by the Congress.

SEC. 7. Upon request by the Secretary, the heads of all executive departments, independent establishments, or instrumentalities having jurisdiction over any of the lands referred to in section 2 of this Act shall furnish to the Secretary the legal description of all of such lands, and all pertinent abstracts, title papers, and other documents in the possession of such agencies concerning the status of the title of the United States to the mineral deposits that may be found in such lands.

Abstracts, title papers, and other documents furnished to the Secretary under this section shall be recorded promptly in the Bureau of

Land Management in such form as the Secretary shall deem adequate for their preservation and use in the administration of this Act, whereupon the originals shall be returned promptly to the agency from which they were received. Duly authenticated copies of any such abstracts, title papers, or other documents may, however, be furnished to the Secretary, in lieu of the originals, in the discretion of the agency concerned.

SEC. 8. Nothing contained in this Act shall be construed to affect the rights of the State or other local authorities to exercise any right which they may have with respect to properties covered by leases issued under this Act, including the right to levy and collect taxes upon improvements, output of mines, or other rights, property, or assets of any lessee of the United States.

SEC. 9. Nothing in this Act shall affect any rights acquired by any lessee of lands subject to this Act under the law as it existed prior to the effective date of this Act, and such rights shall be governed by the law in effect at the time of their acquisition; but any person qualified to hold a lease who, on the date of this Act, had pending an application for an oil and gas lease for any lands subject to this Act which on the date the application was filed was not situated within the known geologic structure of a producing oil or gas field, shall have a preference right over others to a lease of such lands without competitive bidding. Any person holding a lease on lands subject hereto, which lease was issued prior to the effective date of this Act, shall be entitled to exchange such lease for a new lease issued under the provisions of this Act, at any time prior to the expiration of such existing lease.

SEC. 10. The Secretary of the Interior is authorized to prescribe such rules and regulations as are necessary and appropriate to carry out the purposes of this Act, which rules and regulations shall be the same as those prescribed under the mineral leasing laws to the extent that they are applicable.

Approved August 7, 1947.

